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ABSTRACT

The inability of Missouri community college districts--which serve 54% of the state's population but cover only 17% of the state's area--to enlarge their property tax support base, pass capital bond issues, or to increase operational levies gave rise to a legislative study of four major issues: existing laws covering community colleges; the relationship and impact of community colleges to other institutions of higher education; the relationship of the colleges to the community; and the future development needs for community colleges, both substantive and financial. Public hearings were held and factual data from other states and other studies were collected. Testimony focused on the role and scope of the community colleges, industrial impact, financial alternatives, and the importance of local autonomy for the survival and growth of the colleges. The Senate Committee endorsed the following recommendations: (1) full statewide redistricting on a three-year trial basis, involving existing two-year, regional, and state colleges in either direct or contracted delivery of community college services; (2) full state funding for community college operations and capital improvements, phased in over a five-year period with concurrent property tax reduction; (3) local control through elected boards of trustees; and (4) assumption of responsibility for program coordination, fee approval, and state appropriations by the Coordinating Board of Higher Education. Current and proposed legislation and selected statistical data are appended. (MB)

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Report of the Senate Select Committee on Community Junior Colleges

December 27, 1978

JC 790066

Report of the Senate Select Committee on Community Junior Colleges

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TO THE SECRETARY OF THE SENATE:

In accordance with the responsibilities charged to this Committee by President Pro Tem Norman L. Merrell on May 31, 1978, the duly appointed members of the Senate Select Committee on Community Junior Colleges respectfully submit herewith their report and conclusions.

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The Committee would like to express its gratitude to Senator Nelson B. Tinnin, Chairman of the Senate Standing Committee on Education, for his helpful attitude and for his interest in the community colleges of Missouri. The Committee would also like to acknowledge, and express gratitude for, the cooperation of the presidents of community colleges in Missouri, the Missouri Association of Community and Junior Colleges, the Missouri Department of Higher Education, the Missouri Department of Elementary and Secondary Education and the Missouri Department of Labor and Industrial Relations.

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REPORT OF THE SELECT COMMITTEE
ON
COMMUNITY JUNIOR COLLEGES

INTRODUCTION

While twenty percent of the physical area of Missouri constitutes the tax base for the community and junior colleges in the state, these institutions serve one hundred percent of Missouri. The tax which is relied upon by the community and junior colleges, both for capital bond issues and for operational funds, is the property tax.

The inability of community and junior colleges to enlarge their tax base area, and their inability to pass capital bond issues and increase operational levies, gave birth to this Interim Senate Select Study Committee. The impact in Missouri of California's Proposition 13 pending this study has multiplied many times the seriousness of the problem under consideration.

Resolution

The Senate Select Committee on Community Junior Colleges originated when Senator Warren Welliver sponsored Senate Concurrent Resolution No. 12 on January 4, 1978. This resolution called for a joint committee of the Senate and the House of Representatives to examine two-year educational institutions in Missouri. The House of Representatives having failed to concur in the joint resolution, President Pro Tem Norman L. Merrell designated and appointed a Senate Select Committee on Community Junior Colleges* to study this vital sector of education in Missouri.

***Hereinafter the two-year colleges will be referred to as community colleges, unless legally obligated otherwise.**

Charge to the Committee

Senate Concurrent Resolution No. 12 lists the following as major issues relating to community colleges in Missouri and charges the Senate Select Committee with the objective analysis of them:

—Existing laws covering community colleges and changes needed in the laws;

—The relationship and impact of community colleges to other institutions of higher education;

—The relationship and impact of community colleges on the local community;

—The future development needs for community colleges, both substantive and financial.

Scope and Methodology of the Inquiry

The Committee relied upon two basic methods of gathering information during the course of its study: 1) **Public hearings** - these hearings afforded community college administrators and personnel, employment and industrial experts, and all other interested persons the opportunity to express views and offer suggestions for the improvement of the quality of education in this section; 2) **Factual data** - the Committee requested information from other states regarding their community college laws and reviewed other studies relating to the area of postsecondary education. The following studies were forwarded to the Committee as a result of its survey requesting information: *Kansas Report on Student Tuition at Regent's Institutions, Enrollments in Higher Education in Kansas 1973-1982, Demographic Trends that Affect Public Education in Florida 1965-1990,. State Legislation Affecting Community Colleges,* American Association of Community and Junior Colleges: *Selected Papers on Two-Year Colleges*, Education Commission of the States: *State Financing of Community Colleges,* The Brookings Institution Economic Studies Program: *An Economic Perspective on Community Colleges,* The Legislative Commission of the Legislative Counsel Bureau in Nevada: *Community College Division of the University of Nevada System, Bulletin No. 79-3.*

COMMUNITY COLLEGES

A Brief History

The junior college concept was implemented in Missouri when classes began at Kansas City Junior College in 1915. From that time until 1961, when Missouri law was revised, three junior colleges, operated by local school districts and locally supported, comprised the junior college network. In 1961, the Missouri General Assembly passed Senate Bill No. 7 which permitted a combination of districts to establish a junior college with an independent board of college trustees and which portended the transformation from junior colleges into community colleges. As a result of the 1961 legislation and subsequent laws, Missouri currently maintains a system of ten community junior college districts encompassing fifteen separate two-year colleges.

Senate Bill 7, which established junior college districts, was the partial realization of "community" colleges in Missouri. This bill created a reliance upon local boards for the governance of the two-year institutions, a reliance upon the financial support of local property taxes, and a major change in the mission of these colleges. It should be noted, however, that the name "junior colleges" was retained legislatively and the statewide mission which accompanies community colleges was not fully adopted.

Profiles

Following is a list of the community colleges in Missouri.

College and Location	Legal Boundaries	Approximate District Population
Crowder - Neosho	Newton and McDonald	46,000
East Central Junior College - Union	Crawford, Franklin, Gasconade, Washington, Warren and part of St. Charles	60,000
Jefferson College - Hillsboro	Jefferson and part of St. Francois	135,000
Kansas City Metropolitan Longview - Lee's Summit Maple Woods - Kansas City Penn Valley - Kansas City Pioneer - Kansas City	Parts of Cass, Clay, Jackson and Platte	650,623
Mineral Area College - Flat River	Parts of Jefferson, Madison, Perry, St. Francois, Ste. Genevieve and Washington	50,000
Moberly Junior College - Moberly	Moberly Public School District	15,000
St. Louis Florissant Valley - Ferguson Forest Park - St. Louis City Meramec - Kirkwood	St. Louis City, St. Louis County and parts of Jefferson and Franklin Counties	1.6 million
State Fair Community College - Sedalia	Parts of Benton, Cooper, Johnson, Morgan and Pettis	55,000
Three Rivers Community College - Poplar Bluff	Butler, Carter, Ripley and Wayne and parts of Madison, Reynolds and Stoddard	65,900
Trenton Junior College - Trenton	Trenton R-IX School District	12,000

The Community Colleges of Missouri are now educating more than 50,000 students. 1977 Fall enrollment figures indicate that enrollment in the two-year colleges was 52,884 or approximately one-third of the total enrollment of all state supported institutions of higher education. Additional enrollment figures can be found in Table 1 in Appendix F. The testimony presented to the Select Committee indicates that the decline in enrollment in recent years might be partially attributable to decreases in veteran administration benefits and increasingly uniform reporting procedures used by the Coordinating Board of Higher Education.

THE HEARINGS

The Senate Select Committee conducted three formal open hearings and received expert testimony relevant to all aspects of community colleges in Missouri. Community college presidents, local board representatives, industrial employment experts and community civic leaders made up the majority of the more than fifty witnesses presenting testimony. The subtopics below represent the major issues that evolved in the hearings.

Community or Junior Colleges?

Committee testimony conclusively demonstrated the educational relevance of community colleges to the communities that they serve. Many witnesses delineated the educational, recreational and cultural services offered by the community colleges to communities.

> *The asset that these three campuses are to the St. Louis community cannot be overestimated . . . These campuses are very relevant to a student. In the first place they prepare students for useful jobs that adapt them to the community. Secondly, they're very relevant to the community. Not only are they in tune with what business is looking for, what labor is looking for, but also what government is looking for.*
>
> **Supervisor Eugene McNary**
> **St. Louis County**

> *My purpose here today would be to bring to you some little bit of knowledge perhaps about how I think the community college affects Jackson County as an organization, as a unit itself, and how it affects Jackson County as a whole . . . I might say that the courses have a substantial benefit to the employees personally and to Jackson County as an organization. It has a favorable impact on the morale of employees . . .*
>
> **Mr. Archie McGee, Chairman**
> **Jackson County Legislature**

Role and Scope of Community Colleges

Missouri has been an educational leader in establishing a quality multi-campus university system and in creating a well dispersed system of four-year regional colleges. Elementary and secondary education have also received the assistance and attention of the state via the school foundation formula. The facts seem to indicate, however, that two-year associate and certificate level programs are the forgotten children of education in Missouri.

Community colleges provide several educational services. Basic is the provision of a two-year liberal arts education designed to allow students to continue their education toward a baccalaureate degree, and the provision of community service programs. Probably the most crucial educational mission that the community colleges in Missouri have undertaken is the provision of vocational education instruction. This becomes particularly significant in light of an era of new vocations and professions. These vocational programs are designed to prepare students for immediate employment and to provide career upgrading to those already employed.

Community colleges provide an essential function to their service areas by enabling students to attend an educational facility which they may not have otherwise been able to attend. Often, the community

colleges award arts and science associate degrees or general associate degrees to students who intend to continue their education at a state four-year institution or university.

Although the numbers of students transferring to baccalaureate institutions are only a small proportion of the total students in higher education institutions (see Table 5 in Appendix F for transfer numbers), it cannot be assumed that the role of community colleges in providing pre-baccalaureate education is correspondingly small. The value of the initial two years of community college education cannot be measured in numbers alone. It is impossible to determine how many of those students would ultimately receive a four-year degree or who would embark on a four-year education if the opportunity for an initial two years at a community college were absent.

The testimony received by the Committee indicates that community colleges do offer an educational option to persons who are not always certain of their individual education.

> *I think that the mix of the first two years of arts and science education and vocational programs, is a useful one to a lot of young people, and not so young people, who aren't at all certain of why it is they're going to college . . . The community college is a fine place for people who are not sure whether they want to go into technical education, into one of the allied health fields, or want to get a baccalaureate degree, go on to graduate school, get a business degree, or something of that kind . . . I think little money, in fact no money, is wasted in this process of sorting out student interests. Community colleges are usually equipped with a large amount of counseling and vocational advice, far more I would say, than baccalaureate institutions, to help people of all ages sort out what it is they want to attend college for or what use they intend to make out of higher education.*
>
> **Dr. Bruce Robertson**
> **Commissioner of the**
> **Department of Higher Education**

The Committee received testimony from several persons who had completed their two-year associate liberal arts degree education at a community college. These individuals emphasized the quality of education and the personalized attention that they obtained at the community college.

There have been several longitudinal studies conducted by the University of Missouri designed to ascertain the success of the community college transferee in the university system. The results of these studies, which are confirmed by national studies, were relayed to the Committee by Dr. James Olson, President of the University of Missouri. Dr. Olson described an initial transfer shock experienced by community college students. The shock is, in most cases, temporary and the student generally returns to the level of academic achievement attained prior to the transfer. The studies indicate that students who transfer with a small amount of credit hours (15-30) experience greater academic difficulty than those who transfer with an associate of arts degree. The latter group is generally as successful as the "native" university student, whereas the former group experiences a higher rate of dropouts and less academic success.

The Industrial Impact of Community Colleges

The Committee received an abundance of testimony from employment experts in the state. This testimony involved, among other things, the great needs that employers currently face relating to filling technically skilled and vocationally trained positions.

The average annual job openings (in Kansas City) are projected to be somewhere around 33,000 each year, with 10,000 coming from growth and some 23,000 from replacement needs. There are some 17,800 employers in the Kansas City area. This is the kind of an economy that needs trained manpower and the Metropolitan Junior College District is helping to deliver that kind of trained manpower to the industries of this area. This creates the wealth in the variety of jobs in the middle west.

Ilus W. Davis
Kansas City Attorney and
former Mayor

There are a number of St. Louis companies that support and hire from the community colleges . . . There are needs for accountants, chemical technicians and biomedical technicians. There is a great need for data processors, engineering technicians, and of course outside the field of industry, but to some minor extent also in it, nursing and there is also a very large need for secretaries, or in the one-year program, the clerk typist.

Mr. Charles Swartout
Mallinckrodt, Inc.

First, I would like to address the benefits that we, the McDonnell-Douglas Corporation, have derived from the St. Louis Community Colleges relative to entry level jobs by giving a few specific examples: our automation company, known as MCAUTO, recently hired an entire graduating class of students completing the two-year Associate in Applied Science degree in data processing . . . One of the section managers for these departments informs me that about 25% of that department is comprised of graduates from St. Louis community colleges, the three schools.

Eugene J. Pfautsch
McDonnell-Douglas Corporation

I have the only program in respiratory therapy in Kansas City, Missouri and supply probably 75% or more of the respiratory therapists in this community, yet my own institution, Baptist Hospital, has seven openings right now. And I would have access to manpower if anyone would.

Larry Rode
Baptist Memorial Hospital

There are 100 banks in the Kansas City area. We employ 9,300 people right now and the estimate is by 1985 we will employ almost 11,000 - 10,870 to be exact . . . In 1974 there were 2,000 bank tellers in Kansas City. There are 2,150 now and we'll need 2,410 by 1985. I very frankly believe that the vocational training afforded by the community colleges is our prime source. And, again I say, I think it's a bargain.

Michael Braude
American Bank

And, on another thought, there are 213 Freight lines in Kansas City. Not all of them have garages, but gee, we're going to be fighting each other for these 48 students. Even if not all of them are mechanics but are just mechanically inclined, just think of how much that they can help us.

Mr. Clarence Lawson
Arkansas Best Freight

Committee testimony indicated that the impact that the two-year colleges have on the industrial development and on the economy of Missouri, is significant. Community colleges attract industry as a result of the vocational educational courses they offer. These courses fill a void that exists in many employment positions because of shortage of trained or schooled individuals.

It is elementary to say that new industries generate additional taxes for both local and state revenue. New industries obviously provide new jobs which stimulate the economy both locally and statewide. Both new industries moving into a community, as well as local industries in expansion programs, usually have a need for training programs for their employees and executives. The flexibility of community and junior colleges in being able to do this is incredible.

William Hopkins, President
Board of Trustees
State Fair Community College

State Fair Community College and other community colleges across the state help us in Missouri to successfully negotiate in the competitive world of industrial development where states battle states and cities battle cities in hopes of gaining new employment opportunities for its citizens. Missouri must maintain high levels of excellence in training employees for industry if we are going to compete successfully with the well organized development efforts of our surrounding states.

Letter of Mr. James Hamm
(City of Sedalia) to
William Hopkins

Similar testimony was presented by several of the community college representatives. The function fulfilled by the community colleges of providing competent and qualified employees is one that is likely to become more important in the near future. The job market future for persons who acquire vocational and technical education is promising.

Our projections are that over the next six years there will be approximately 12,000 jobs that will be available to people, annually, for those positions which will require some type of post-secondary training or education. Many of these would be in the area of vocational education: draftsmen, electronics, technicians, health care, electronic data processing, air conditioning and heating, mechanics, and that type of activity—those which would not necessarily require a degree, but would certainly be enhanced if they had this particular type of vocational training.

Mr. Joseph Dietrich, Director
State Division of Employment Security

The placement figures presented to the Committee regarding vocationally educated students are also indicative of the substantial needs that exist in many areas of vocational employment (see Tables 3 and 4 in Appendix F). Supportive data presented to the Committee by the Department of Elementary and Secondary Education indicates that for the school year 1976-77, seventy-seven percent of the students that completed a vocational education curriculum were placed in an occupation upon graduation.

THE FINANCING OF COMMUNITY COLLEGES

Community colleges, since the 1961 legislation establishing districts, have been supported from three sources of revenue: state appropriations, local tax revenues and student tuition. Initially, administrators envisioned a system of funding whereby each of these three revenue sources would assume one-third of the operational costs of the two-year institutions. Testimony clearly indicated that this approach was not practical. As a consequence, the colleges have been forced to rely more heavily on state appropriations. Even with increased state support, the community colleges in Missouri have not been able to meet the financial crisis that is a result of many economic and societal factors.

State aid has increased substantially as a proportion of our total revenue, from 31 percent in 74-75 to over 40 percent for this current year. But though the unit rate has increased, the actual total amount of state aid declined last year because of decreasing enrollments. We actually ended up receiving a million dollars less in state aid for the year that just ended than for the year before. And given the probability of continuing declines in enrollment, at least for the next year or two, the present state aid formula even with the increased funding for technical-vocational courses, will not be sufficient to offset our rising costs.

Dr. Richard Greenfield, Chancellor
St. Louis Community College

I would like to stop at this point to let you know that I am well aware of the one-third, one-third, one-third concept that was the essence of at least a verbal agreement back in the early 1960's. I can honestly say to you that men and women of good will thought at the time that this was a workable concept but like so many things we do, time proves us wrong. We seem not always to measure up to such an event as when the Lord handed the tablet to Moses on Mt. Sinai. Somehow our work seems to need perfecting from time to time. We see that the levels of support must change if we are to keep pace with the spiraling costs and our ability to offer service to our patrons.

Mr. James Tatum, President
Board of Trustees
Crowder College

Now, I could go on enumerating problems that we've had. Liability insurance premiums have gone up. Utility rates have gone up. Social Security tax rate has gone up. Public Retirement Plan increases. Federal legislature increased the minimum wage. So, all of these have really had an impact on the Community College District.

Dr. William Hatley, Chancellor
Metropolitan Community College

Alternatives

Committee members, community college proponents and higher education administrators were in complete agreement regarding the critical financial situation of the two-year colleges. The Committee was presented with several funding alternatives designed to provide some immediate relief.

The questions of financial inequity and local funding problems became a dominant inquiry in the Committee hearings. In many instances (Jefferson City, Independence, St. Charles and Columbia are examples), citizens are paying for associate level programs without having any access to a community college or any other institution which offers one and two-year level programs.

Dr. Bruce Robertson, in Committee testimony, delineated the major alternatives to the present funding system. These alternatives include:

1) Creation of a uniform system of state and local colleges in relation to a charge-back system. Under this alternative, an out-of-district student's county or school district would be assessed a sum of money equal to the average contribution of the in-district taxpayer;

2) Establishment of a cost equalization formula for community colleges. This alternative would strive to balance the many elements that vary among institutions, including tax bases and varying costs of living in urban and rural settings;

3) A third alternative would be to move to a system of full state funding for community colleges. This alternative would allow greater accessibility to associate level education and would abolish the financial inequities between segments of education that currently exist.

The last alternative dominated the testimony regarding a financial solution for community colleges. Commissioner Robertson outlined the probable costs to the state if such a system were implemented:

> *Full state funding, we estimate, would cost somewhere between fifteen and twenty million dollars and somewhat like the school foundation formula, could be distributed say, over a four year period.*

The two-year colleges are in desperate financial straits in terms of capital costs as well as operational costs. Traditionally, the community college districts have relied on local bond issues for capital improvement revenues. It is clear, however, that administrators are realizing the limitations of a reliance upon voters to provide capital revenues through bond issues. It is equally clear that the tax revolt spurred by Proposition 13 in California, could have a serious financial effect on community colleges in Missouri

> *The decline in the rate of interest of our local tax base has reached a point where in the absence of reassessment or an increase in the local tax rate, we may face a stagnant or unchanging level of local tax dollar support, which really represents a decline in the real dollars. Given the present public mood, it is highly unlikely that an increase in the local tax rate will be approved by the voters, even though there is widespread support for the community college.*
>
> **Reverend William Collins**
> **President, Board of Trustees**
> **St. Louis Community College**

> *Under the current property tax law, no new junior college has been created in Missouri in over a decade. I think, if we read the election returns, we can conclude that it is very unlikely that any institution which heavily rests upon the property tax is going to be created. In fact, I think, the general public is, if anything, looking for a relief from the property tax rather than increasing its burden.*
>
> **Dr. Bruce Robertson, Commissioner**
> **Department of Higher Education**

Capital Funding

The testimony presented to the Committee in relation to the capital needs of the community colleges in Missouri was abundant. There are several campuses which are deteriorating rapidly because of inadequate maintenance and a lack of funds available for expansion.

Some modest consideration of the capital needs of this district would help us to deliver decent facilities on the other campuses, which are badly needed. They're operating in temporary buildings. You saw the pictures of them and they're not a credit to this city or to this state, but they are being heavily used by people who are seeking actively day after day additional education to assist them in meeting the times.

Mr. Ilus Davis
Kansas City Attorney and
former mayor

A strong, unanimous plea for state assistance in the area of capital improvements funding was demonstrated during the hearings. There was general agreement that capital funding by the state is a feasible alternative to the current system of bonded indebtedness by the district. Commissioner Bruce Robertson informed the Committee that a study is underway by the Department of Higher Education to critically analyze the capital needs of higher education institutions in the State of Missouri. It is apparent, however, from the Commissioner's testimony to the Committee and from the *Master Plan III for Higher Education* that there is no justification for additional institutions for higher learning in Missouri. The departmental study will be relied upon heavily to spell out the capital needs for community colleges as well as other institutions.

THE DILEMMA

The Right to a Two-Year Education

The most serious problem that exists regarding the current delivery system of associate and certificate level education is the fact that it has such limited accessibility. Testimony to the Committee accurately described this weakness of the current system.

In the first place a large part of the state's population and the overwhelming majority of its area are not located within a community college service district. Using most recent available Bureau of the Census data, an estimated 54% of the state's population lives within community college districts, and only 17% of the state's area is contained within a community college district ..... If the district populations of St. Louis and Kansas City are eliminated from the calculation, the picture for the rest is less satisfactory, for only about 16% of the rest of the state's population resides inside a community college district.

Dr. Bruce Robertson, Commissioner
Department of Higher Education

I have been a part of this movement for some twenty years now, having been on the Governor's subcommittee back in the 50's which actually drafted the original concept for the law that was enacted in 1961, allowing the great growth we have seen in community colleges in this state ..... I do retain a deep sense of frustration that this form of higher education is not available to all the citizens of the State of Missouri.

Mr. James Tatum, President
Crowder College Board of Trustees

The current system of community college education deprives many Missourians of their right to the services of these valuable institutions. The importance of vocational education and the future implications for positions requiring some post-secondary education necessitate a critical review of the status quo and the scrutinization of alternatives to that system. The Committee was presented with

several alternatives relevant to the problem posed by the inadequacies of the current junior college districts. There was general agreement that community colleges are able to support larger service areas, but even the enlarged district would not permit the community colleges to service all Missourians on a commuter basis. St. Louis Chancellor William Greenfield suggested during testimony that non-traditional delivery systems might be employed to provide service to areas where two-year programs do not currently exist. The most discussed solution to the accessibility problem was the proposal to establish two-year, statewide programmatic districts. Under this proposal four-year institutions (except the University of Missouri) would be authorized to offer limited and necessary two-year programs under the supervision of the Coordinating Board for Higher Education and with approval and agreement of the local district board.

The Sanctity of Existing Districts

A hesitation on the part of community college administrators to the altering of the boundaries of two-year programmatic districts stems from the fact that such alteration will infringe upon the sanctity of the existing districts. If the boundaries are changed to allow additional people inside an existing district, then those people will reap the benefits of a community college district that has been built, maintained and improved through taxing efforts in which they assumed no responsibility. Hence, the dilemma: Every young person in Missouri should be entitled to in-district access to a two-year community college education. To accomplish this end, the districts must be enlarged to include areas which have not borne any of the tax burden of the original district.

The Precedent

There is no open-and-shut answer to the problem. As is so often the case, the Committee is forced to search for a precedent to serve as a solution to the problem. Such a precedent exists as it relates to two junior colleges which subsequently became four-year institutions. These two colleges Missouri Western State College (previously Missouri Western Junior College) and Missouri Southern State College (previously Jasper County Junior College) became fully state funded four-year institutions in 1976-77, but both had local district bond liabilities. The districts that encompassed these two institutions were required to continue payment of the bonded indebtedness until all liabilities were expired.

If a system of statewide service areas for two-year education is to be implemented, the state has no power to spread the existing bonded indebtedness over the enlarged districts, and consequently, the only practical alternative is to follow the precedent that has been established.

THE IMPORTANCE OF LOCAL AUTONOMY

The Traditional Control

There is unanimous agreement among two-year college administrators in asserting that a primary reason for the survival and growth of community colleges in Missouri is the fact that they are locally controlled, both administratively and, to a lesser degree, financially. This local control, since 1961, has been exercised by local boards of trustees which are given specific statutory duties and authority (Chapter 178, RSMo). These boards, among other things, have traditionally controlled fee structures and

all employment activities. The boards represent key elements in securing local input into the administration and organization of the districts.

We further believe that the public community colleges should continue to be governed by the locally-elected board of trustees as the policy-making bodies and the final institutional authority for college operations. There is a great deal to be said for this, because the very concept of the community college demands a close association with the grass roots. Somehow, maximum citizen involvement at the local level makes for the best product. This policy of locally-elected trustees is a cornerstone of the real community college.

James Tatum, President
Crowder College Board of Trustees

State Control Regarding Community Colleges

The testimony received by the Committee regarding the control of two-year colleges was one-sided in that each witness sought to protect local autonomy at all costs. Testimony along these lines came from many different sources, including state administrators and policy-makers. Discussions relating to changes in the current delivery system were always complemented by testimony supportive of local control.

The problem with increasing state aid while holding the local tax essentially at the same level is one of control. Increased state control, typically nationwide, stifles local initiative and responses to community needs. Our college has belonged essentially to the citizens of this district since 1962, and they are the ones who should continue to have major control over its programs and progress.

Chancellor Richard Greenfield
St. Louis Community College

Well, my personal preference is that we have the variety of funding and the close local ties. I think our institutions have to reflect the attitude and philosophy of the communities we represent. I am not sure they can do that with state control, total state control. If we get full state funding, we're going to get more state regulations. Maybe that's all right, but it does destroy the local initiative, it does take away from the people there the pride that they have in their institution. I would like to see us maintain that, certainly.

Dr. Ray Henry, President
Jefferson College

Full state funding, I think, should not be followed up by state control of junior colleges..... I think it's fundamental to community colleges that you should have local boards of trustees..... I strongly feel that the people from an area should control the persons who serve as trustees of a junior college district, and those four-year institutions which will be moving into this kind of education, should set up something that's reasonably analogous to local boards. Community colleges are genuinely local institutions and the logic of the system says they should be local institutions. They derive much of their strength, and I think much of their vitality from it, and they are most beneficial when they are tied in with the local economy, when they're tied in very closely with local needs.

Dr. Bruce Robertson, Commissioner
Department of Higher Education

The preservation of local autonomy does not negate the importance of the role of the state and particularly of the Coordinating Board for Higher Education. There can be little doubt that an efficient system of higher education will demand Coordinating Board for Higher Education program review and approval of one and two-year programs by all institutions. It is also essential that some state authority be established in relation to the overall fee structure in two-year and four-year colleges.

The implementation of changes in the community college law will require a focal point of higher education in the state. The Coordinating Board, in assuming this role, can prevent unnecessary and costly duplication of programs between segments of higher education.

CONCLUSIONS

The community colleges in Missouri have been and will continue to be a vital element of the economic and industrial make-up of the state. There are, however, weaknesses that exist in the current delivery system of two-year educational programs.

The unavoidable conclusion of the Committee regarding the financing of community colleges is that property taxes are not going to head off the impending financial crises. The reliability of the property tax as a source of revenue will continue to decrease and the voter attitude toward additional property taxes is not likely to change in the near future. As a result, state intervention in the financing of two-year colleges is as necessary as state financing of elementary and secondary education. If two-year educational institutions in Missouri are going to continue as an important segment of vocational and general education, the state must assume some additional responsibility for these institutions.

A major fault of the current system is that it is not accessible to every citizen in the state. Perhaps this, above all else, illustrates the back burner position that has been forced upon these institutions since their origin. The Committee believes, from an educational point of view, that each citizen should have equal access to this segment of education. In order to implement statewide accessibility, it is necessary to undertake and implement a general redistricting of community college districts.

Redistricting, as a practical matter, will necessitate that some four-year colleges enter into one and two-year certificate and associate level education. The Committee concludes, however, that the moratorium which has been placed on four-year colleges regarding these programs, should be contained until the new districts have been formed. In addition, new community college districts must be given the opportunity to contract with the existing facilities for certain programs that are not available within their serviceable areas. Finally, the Committee believes that the redistricting effort should be implemented on a trial basis, and after such a trial, the legislature should be given final approval authority over the recreated districts.

The Committee found no justification for additional institutions of higher learning either two-year or four-year in scope. Given the enrollment forecasts of the future, additional institutions would be disastrous. The Committee anxiously awaits the completion of a study by the Department of Higher Education regarding the capital improvement needs of higher education institutions in Missouri. This study should give additional credibility to the claim that no new institutions are needed and should

support the concept of providing capital improvement monies to community colleges.

There can be no doubt, after reviewing materials and hearing witnesses, that community colleges must retain a local orientation if they are to continue as a unique segment of education. The local autonomy, which has been provided in the past, must be protected at all costs.

The Committee endorses the educational goals that the community colleges have established for themselves. The proceedings of the Senate Select Committee lend great support to a primary-future emphasis on vocational and technical education. Secondly, the two-year colleges should continue to emphasize a liberal arts education. Finally, these institutions should continue to offer community educational services and noncredit courses on a self-sustaining basis.

The Committee recommends that the General Assembly adopt a general revision law relating to two-year colleges which will distinguish those institutions as community colleges. In addition, the Committee suggests that legislation be introduced and considered by the full General Assembly that will incorporate the following major issues, which emerged from the Committee hearings (see proposed legislation, Appendix A):

1. The Committee, regarding redistricting, recommends:
   a) That the Department of Higher Education be charged with the drawing up of new district boundaries involving existing public community colleges, regional and state colleges, and districts absent a public college.
   b) That the districts be implemented for a trial period of three years, during which time the boundaries could be altered.
   c) That the districts be ratified by the Missouri General Assembly after the expiration of the three-year period.
   d) That the current community junior college districts be altered to include service areas appropriate to commuting students.
   e) That locally elected trustees of a district may go outside their designated district to contract with existing two-year and four-year college institutions and area vocational schools for the delivery of services.
2. The Committee, regarding funding, recommends:
   a) That the community colleges be fully state funded for operational purposes.
   b) That the full funding concept for community colleges be phased in over a five-year period.
   c) That at the end of the five-year phase-in period, the local property tax be completely abolished as it relates to community college operations, and that it be proportionally reduced in the interim.
   d) That the state fund the capital improvements of the community colleges in a fashion similar to the funding of capital improvements relating to four-year institutions.
   e) That all bonded indebtedness incurred by the current community college districts continue to be incurred by those districts until paid in full.
3. The Committee recommends the following regarding state control and local autonomy of the community colleges:
   a) Local Boards
      1. That the districts that are formulated be controlled by a local board of trustees, whose membership shall be elected from within the boundaries of the district.

2. That these local boards retain the primary powers that the community college boards currently possess.
3. That the local boards coordinate all administrative and contractual arrangements involving their district.

b) The Coordinating Board of Higher Education

1. That the Coordinating Board be responsible for the coordination of programs and issuance of guidelines relating to vocational education and associate level education in Missouri.
2. That the Coordinating Board be given specific authority to approve all fees which are established by the individual community colleges.
3. That a Council for Adult and Vocational Education be created within the Department of Higher Education. This council will assist the Coordinating Board in the coordination of vocational education in Missouri.
4. That the Coordinating Board be responsible for all state appropriations to the community colleges, including capital improvement funds.

APPENDICES

A. Proposed Legislation

B. Hearing Schedule and Witnesses

C. Official Exhibits

D. Non-Exhibit Materials

E. Current Missouri Law

F. Statistical Tables and Other Data

APPENDIX A

Proposed Legislation

1st Regular Session
Senate Bill No. 412
80th General Assembly
(Pre-filed Dec. 13, 1978)

AN ACT

To repeal sections 163.191, 176.010, 178.370, 178.380, 178.400, 178.770, 178.780, 178.790, 178.800, 178.820, 178.830, 178.835, 178.840, 178.850, 178.860, 178.862, 178.870, 178.880, and 178.890, RSMo 1978, relating to the establishment, operation, and support of certain two-year institutions of higher education, and to enact in lieu thereof thirty-one new sections for the purpose of establishing a uniform system of associate and certificate level education under the direction of the state department of higher education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Sections 163.191, 176.010, 178.370, 178.380, 178.400, 178.770, 178.780, 178.790, 178.800, 178.820, 178.830, 178.835, 178.840, 178.850, 178.860, 178.862, 178.870, 178.880, and 178.890, RSMo 1978, are repealed and thirty-one new sections enacted in lieu thereof, to be known as sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 176.010 and 178.370, to read as follows:

Section 1. As used in this act, unless the context otherwise requires, the following terms mean:

(1) "Commissioner", the commissioner of higher education;

(2) "Community college", an educational institution providing, instruction beyond the twelfth grade level and primarily for those within the community college district served by it, collegiate and noncollegiate level education including courses in liberal arts and sciences, and general education, adult education courses, courses in occupational, semitechnical and technical fields leading directly to employment, and community services, which may result in the granting of diplomas and certificates including those known as associate degrees, but not including baccalaureate or higher degrees;

(3) "CBHE", the coordinating board for higher education;

(4) "Council", the council for adult and vocational education within the department of higher education;

(5) "Department", the state department of higher education;

(6) "Senior college", a publicly supported institution of higher learning in this state offering college level programs which may include four-year baccalaureate degree programs, associate and certificate programs, graduate degree programs or professional degree programs.

Section 2. The CBHE shall develop statewide policies relating to associate and certificate level education. The CBHE and the commissioner shall confer with and advise members of the governing boards and administrative officers of the various institutions offering associate degrees and certificates in post secondary technical and vocational programs. The CBHE shall institute periodic reviews of associate and certificate level programs in publicly supported institutions of higher education. Except in the instances enumerated in this bill, the CBHE shall in no way interfere with the local control and autonomy of the governing body of any community college.

Section 3. The CBHE shall develop a plan for the redistricting of all community college districts, the creation of new districts based around existing four-year regional universities, the state colleges and Lincoln university, and new districts in which no public institution of higher education offers associate or certificate level programs. The plan shall specify the boundaries and service area of each district and provide for service areas appropriate to commuting students and for the service of patrons and students within the area served.

Section 4. After review and public hearings, the coordinating board shall establish statewide community college

service districts. The districts may be served by an existing community college, by another existing public institution of higher learning which offers associate and certificate level education or the district may not be served by an institution at the time it is created. The districts shall be instituted for a trial period of three years, during which time the coordinating board shall review the service within the districts and may alter or expand the boundaries of any district as the board may find necessary. At the end of a period of three years after the date of promulgation of the districts, the coordinating board shall make a final review of the districts and prepare a report and description of the districts as finalized for submission to the general assembly. The general assembly shall approve or reject the districts submitted by a concurrent resolution passed by both houses of the general assembly and filed, after passage, with the secretary of state. A description of the districts shall be certified to the revisor of statutes, who shall publish them as an appendix to the revised statutes of Missouri. Amendments and alterations to the districts shall be approved and published in a similar manner. District boundaries may be changed from time to time by the department and submitted to the general assembly for approval or rejection.

Section 5. The governing body of any community college district may, with the approval of the coordinating board, enter into contracts with any other community college, with senior colleges, or with publicly supported area vocational or technical schools for the furnishing of services or courses either within or without the community college district.

Section 6. In addition to the powers enumerated in this act, all public community college districts and associate and certificate level districts, without a public community college,

which have been described in this act, shall be subject to all powers granted to the CBHE by all applicable provisions of the omnibus reorganization act of 1974.

Section 7. The CBHE shall:

(1) Formulate and put into effect uniform policies as to budgeting, recordkeeping, and student accounting;

(2) Establish minimum requirements for student progress toward degrees and uniform curricular nomenclature for associate level and certificate programs;

(3) Make a continuing study of community college education in the state;

(4) Be responsible for the accreditation of each community college not otherwise accredited by the north central association of colleges and secondary schools.

Section 8. 1. As used in this section, the term "current annual operational costs" means those costs attributable to current operation of a community college district including all direct costs of instruction, instructors' and counselors' compensation, administrative costs, library costs, all normal operating costs and all similar noncapital costs during any year. The state shall be responsible for that portion of current annual operational costs which is not covered by the student fees and tuition and other nonlocal tax income charged by the individual institutions. The coordinating board shall establish guidelines and make recommendations about appropriation requests from community college districts. Each community college district shall prepare an appropriation request for the governor and general assembly. The general assembly shall make appropriations to each community college district, which appropriations shall be distributed to the college in quarterly payments, beginning August first each fiscal year.

2. In the fiscal year beginning July 1, 1980, the state of Missouri shall pay up to five-tenths of the current annual operational costs of each community college district. In the fiscal year beginning July 1, 1981, the state of Missouri shall pay up to seven-tenths of the current annual operational costs of each junior college district, minus tuition, fees, and other nonlocal tax income. In the fiscal year beginning July 1, 1982, the state of Missouri shall pay up to eight-tenths of the current annual operational costs of each community college district, minus tuition, fees, and other nonlocal tax income. In the fiscal year beginning July 1, 1983, the state of Missouri shall pay up to nine-tenths of the current annual operational costs of each community college district, minus tuition, fees and other nonlocal tax income. In the fiscal year beginning July 1, 1984, and in each subsequent fiscal year, the state of Missouri shall pay up to the entire current operating costs of each community college district, minus tuition, fees, and other nonlocal tax income.

Section 9. 1. In the fiscal year beginning July 1, 1980, and each subsequent fiscal year, the general assembly may make appropriations to each of the community college districts for capital costs of the district, exclusive of retirement of bonded indebtedness.

2. As used in this section, the term "capital costs" includes costs of construction of buildings and other facilities and purchases of equipment and furniture and other capital items designed to be used two or more years and costing two hundred fifty dollars or more, but the term "capital costs" does not include the cost of retirement of any bonded indebtedness existing on the effective date of this act. The coordinating board shall establish guidelines for capital appropriation

requests from community college districts. Each community college district shall prepare a capital expenditures budget for the district and the general assembly may make appropriations to each community college district.

Section 10. The governing body of each community college district may levy and collect, until July 1, 1984, a tax for operating costs on real and personal property in the district equal to the annual rate in effect for the particular district on the effective date of this act with the proviso that, as state aid rises proportionately, there should be a corresponding reduction in the local operation levy as determined by the local governing board, subject to the approval of the CBHE. The tax shall be levied against the kinds of property which was subject to the tax on the effective date of this act. Except for a tax sufficient to retire bonded indebtedness as provided in section 11 of this act, no community college district shall levy or collect any tax on real and personal property in the district after July 1, 1984.

Section 11. The governing body of each community college district as successors to the board of trustees of each junior college district as it existed prior to the effective date of this act shall levy a tax upon all taxable property within that district subject to the legal limitations in effect under those provisions of law repealed by this act relating to junior college tax rates, which together with funds available from any other source, will be sufficient to pay the cost of any capital improvements for the junior college commenced before the effective date of this act and for retirement of the bonded indebtedness of the junior college. After all such projects are completed and paid for, and after all bonded indebtedness has been retired, no further levy shall be made for junior college

or community college purposes.

Section 12. 1. In each community college district there shall be a governing body of six members, which, after July 1, 1984, shall be elected at large throughout the entire proposed district. The two candidates receiving the greatest number of votes shall be elected for terms of six years each, the two receiving the next greatest number of votes for terms of four years each, the two receiving the next greatest number of votes for terms of two years each, and such terms shall be effective until the first Tuesday in April coinciding with or next following such period of years, or until the successors to such members have been duly elected and qualified. Thereafter, the members shall be elected for terms of six years each.

2. Following the initial election, the governing body may, at any duly called meeting, adopt a resolution calling for the formation of a redistricting committee to consider the formation of subdistricts within the community college district from which members of the governing body are thereafter to be elected. Upon adoption of any such resolution, the secretary of the governing body shall forward a certified copy thereof to the CBHE with the request that a redistricting committee be appointed in order to divide the community college districts into at least two and not more than six subdistricts for the purpose of electing members of the governing body. The redistricting committee shall consist of three residents within the affected district, appointed by the members of the governing body of the affected district, plus three additional persons residents within the affected district, appointed by the CBHE. Thereafter, the redistricting committee shall meet, organize itself with a chairman and secretary, and proceed with the adoption of a redistricting plan specifying at least two but not

more than six subdistricts which are to the extent possible so apportioned on the basis of population that the population of any such subdistrict divided by the number of members of the governing body to be selected therefrom substantially equals the population of any other subdistrict divided by the number of members of the governing body to be selected therefrom. The redistricting plan referred to herein, in lieu of requiring all members of the governing body to be elected from subdistricts, may provide for the election of one or more members of the governing body at large and the remainder from subdistricts, or for the election of all the members of the governing body at large with the requirement that each must reside in a certain subdistrict, so long as in any plan adopted, subdistricts are apportioned as provided above. Notwithstanding the above, the governing body of any community college district which contains more than four hundred fifty thousand residents shall, at the first duly called meeting following July 1, 1984, and thereafter within ninety days following the publication of the decennial census figures, adopt a resolution calling for the formation of a redistricting committee as described above; and the redistricting committee shall adopt a redistricting plan specifying the establishment of not less than four nor more than six subdistricts compact and contiguous in territory and apportioned as provided above.

3. In any district which shall contain a city not within a county, if four subdistricts are established, then at least one subdistrict shall be within the city, and if five or six subdistricts are established, then at least two subdistricts shall be within the city.

4. Any person running for election as a member of the governing body from a subdistrict shall be domiciled and a

resident therein. Any plan proposed to be adopted must receive approval of a majority of the whole redistricting committee. Upon adoption the redistricting committee shall forward a copy of the plan certified by the secretary to the CBHE for its approval or disapproval. The CBHE shall approve any redistricting plan in which the population of any subdistrict divided by the number of members of the governing body to be selected therefrom substantially equals the population of any other subdistrict divided by the number of members of the governing body to be elected therefrom. Upon approval, the redistricting plan shall become effective and all members of the governing body elected thereafter shall be required to be elected from subdistricts in which they are residents. If the plan is not approved, then it shall be returned to the redistricting committee for revision and resubmission. Until approval of a plan by the CBHE, members of the governing body of a district shall continue to run at large. Upon approval of any plan, the governing body shall determine by resolution the assignment of members of the governing body to subdistricts. Any such assignment shall not affect the term of office of any such member of the governing body. Once a district has been divided into subdistricts in accordance with the provisions hereof, it shall remain so divided until one year following the publication of the decennial census figures, by which date a new plan shall have been adopted or the members of the governing body shall again be required to run in the district at large; provided, however, that if during the period between publications of decennial census figures the area of a district is increased or decreased, a new plan shall be adopted within one year thereafter or the members of the governing body shall be required to run in the district at large. No member of the

redistricting committee shall serve on the governing body for a period of six years following his service on the redistricting committee.

5. Candidates for the office of members of the governing body shall be citizens of the United States, at least twenty-one years of age, who have been voters of the district for at least one whole year preceding the election, and if members of the governing body are elected other than at large they shall be voters of the subdistricts for at least one whole year next preceding the election. All candidates for the first governing body of a district shall file their declaration of candidacy with the CBHE.

6. Each governing board shall be the successor board upon which shall devolve all real and personal property and assets and obligations of the junior college district or junior college established by a public school district which the community college succeeds.

7. From the date of the adoption of this act until July 1, 1984, the initial membership of the governing board shall be the members of the board of trustees who held office on the effective date of this act. As the terms of office which were in effect on the effective date of this act expire, or as vacancies occur, successors shall be elected at large as provided in this act.

Section 13. 1. On the first Tuesday in April of any year in which a term of office will expire or a vacancy occurs, an election shall be held for the election of members to the governing board. All costs of election shall be paid out of the funds of the community college. Notice of election shall be given by the governing board by publication in at least one newspaper of general circulation within the district at least

once a week for three consecutive weeks, the last insertion to be no longer than one week prior to the election. All candidates for membership on the governing board shall file their declarations of candidacy with the secretary of the governing board at least thirty days prior to the date of election.

2. If public school elections are conducted on the same day as the election for membership on the governing body of the community college, the election shall be conducted in the same manner, at the same polling places and by the same election officials who are conducting elections on that day in the school districts in each county comprising the community college districts. If no school election is conducted on that day in a county within the community college district, then the polling places and the judges and clerks of election shall be selected and the election conducted in the same manner and by the same board or body that selects judges and clerks and conducts elections in that county. If voting machines are not used in the district, then the governing board shall cause ballots to be printed and distributed for the polling places in the district at the expense of the community college district.

3. The body conducting the election shall certify to the governing board of the community college district the total number of votes cast for each candidate. Within forty-eight hours thereafter, at least a majority of the then qualified members of the governing board of the community college district shall jointly tabulate the results so received, and shall declare and certify the candidates receiving the greatest number of votes.

Section 14. 1. The governing boards of the Missouri public community college districts are hereby vested with the

responsibility to operate their respective community colleges and with such necessary authority as may be needed for the proper operation thereof, in accordance with the rules and regulations of the CBHE.

2. In carrying out this responsibility, the governing board, after considering recommendations submitted by the community college president, may exercise the following general powers:

(1) The governing board shall determine and adopt such policies as are deemed necessary by it for the efficient operation and general improvement of the community college;

(2) The governing board shall adopt such rules and regulations to supplement those prescribed by the department of higher education as in its opinion will contribute to the more orderly and efficient operation of the community college and to the provisions of educational and community services to all qualified patrons of the community college district;

(3) The governing board shall adopt such minimum standards as are considered desirable by it to supplement those standards of the department;

(4) The governing board shall constitute the contracting agent of the community college district. It may when acting as a body, make contracts, and sue and be sued in the name of the governing body. In any suit, a change in the personnel of the board shall not abate the suit, which shall proceed as if such change had not taken place. It shall issue the payroll of the college and be responsible, under guidelines developed by the CBHE and subject to the scrutiny of the state auditor, for all of the normal business transactions of the college;

(5) The governing board shall perform those duties and exercise those responsibilities which are assigned to it by law

or by rules and regulations of the CBHE and in addition thereto those which it may find necessary for the improvement of the community college;

(6) The governing board of the community college district and the parties interested in, or the owners of the private property, the governing board of the community college district may exercise the right of eminent domain and proceed to condemn the property in the manner provided by law;

(7) The governing board may enter into lease agreements with private individuals or corporations for necessary grounds and buildings for community college purposes.

3. The department shall promulgate such rules and regulations as it deems necessary to implement the provisions of this section.

Section 15. The governing body of a community college shall select a chief executive officer and a corporate secretary. The governing body may establish an executive committee to perform functions of the governing body between meetings of the governing body. When a vacancy occurs in the office of community college chief executive officer, the governing board shall select and appoint a person to fill that office. Community college chief executive officers so appointed shall serve at the pleasure of the governing board.

Section 16. Employment of all personnel in each community college shall be made by the governing board upon recommendation of the college president.

Section 17. All certificated personnel shall be members of the public school retirement system of Missouri under provisions of section 169.010, RSMo, and all noncertificated personnel shall be members of the nonteachers school employees' retirement system under provisions of sections 169.600 to 169.710, RSMo.

Section 18. Before the beginning of each fiscal year, the chief executive officer of each community college shall recommend to the governing board a budget of income and expenditures, which budget must be approved by the beginning of the fiscal year.

Section 19. The governing board of each community college district may budget and use a portion of funds accruing from auxiliary enterprises and undesignated gifts for promotion and public relations as prescribed by rules and regulations of the department.

Section 20. The governing board of any community college district may accept on behalf of, and in the name of the district, such gifts, donations, bequests, and devises as are made to the district for community college purposes.

Section 21. Community colleges may maintain and administer programs for day or evening classes, vocational or technical training classes, adult education classes, or any other class or course of instruction considered desirable by the governing board and approved by the department, provided that there shall be no state funding for general interest, noncredit courses.

Section 22. 1. The governing board of any community college may admit tenth, eleventh and twelfth grade high school students to vocational education classes maintained by the community college if:

(1) The high school students are enrolled in a high school within the community college district and are recommended for vocational training by the high school principal;

(2) A contract is entered into between the governing board of the community college district and the school board maintaining the high school for the payment of the current

expense to the community college district incurred on account of such attendance;

(3) The hours of attendance of such students are credited to the high school of enrollment and the credited hours of attendance of a student in both attendance centers do not exceed one day of attendance in any one calendar day;

(4) Scholastic credit for courses completed is at the high school level.

2. For the purposes of this section, the vocational education classes may be considered to be classes maintained by the high school within the boundaries of the school district maintaining the high school.

Section 23. The board of education of any school district maintaining a public high school and the governing board of a community college district in which the high school is located may enter into a contract, subject to the approval of the state department of elementary and secondary and the state department of higher education, for the education of community college students in vocational education classes to be conducted by the school district maintaining the high school. The community college district shall pay the current expense to the school district incurred on account of such attendance. The attendance shall be credited to the community college district and college credit may be granted students who satisfactorily complete the course of instruction in such classes.

Section 24. The governing body of each community college, with the advice and approval of the department shall prepare the courses of instruction and educational programs of the community colleges. The courses of instruction and educational programs shall be designed to fit the needs of students at the

freshman and sophomore levels and may include courses of instruction designed to prepare for admission to the upper division of institutions of higher education and such other courses of instruction designed to prepare persons for agricultural, commercial, homemaking, industrial and other vocations, courses of study to meet the requirements of the Federal Manpower Development Act or any other federal act, and such courses of instruction as may be deemed necessary to provide for the civic and liberal education of the citizens of the community college district. The courses of instruction shall include the courses of the Constitution of the United States and of the state of Missouri required by section 170.011, RSMo, to the extent determined by the CBHE.

Section 25. A community college may charge a fee for all students who are residents of the community college district, or who are residents of Missouri but not residents of the community college district, or who are nonresidents of the state. The fees and tuition charges established by the community colleges shall not be enforced until approved by the CBHE.

Section 26. There is hereby created a "Council for Adult and Vocational Education" within the department of higher education. The council shall consist of the president of the Missouri association of community and junior colleges, the commissioner of the department of higher education, the commissioner of the department of elementary and secondary education, the director of the division of employment security, the director of the division of commerce and industrial development, or their designees. The council shall assist the department of higher education in the coordination of

vocational and technical education in this state and prepare for coordinating board consideration standards, guidelines, policies, and criteria for the operation and delivery of vocational and technical educational services to the citizens of this state. Members of the council shall receive no compensation for their services on the council, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council, to be paid out of appropriations made to the department of higher education for that purpose. The council shall regularly meet with and cooperate with state advisory committee for vocational education established under section 178.540, RSMo.

Section 27. The department of higher education shall make an annual report to the governor and to each house of the general assembly, in the months of January in each year, of the progress, problems, conditions and prospects of associate and certificate level education and shall include in the report such recommendations for change or for legislative action as the department deems appropriate.

Section 28. The provisions of section 1 through 30 of this act shall apply to all institutions established under the provisions of section 178.370, RSMo, or under the provisions of sections 178.770 to 178.890, RSMo, and in existence on September 28, 1979. Each such existing institution shall constitute the basis for one of the community college districts established by the department.

Section 29. 1. The governing body of each public community college district shall possess full power and authority to adopt rules and regulations for the guidance and supervision of the conduct of its college students; to enforce

compliance therewith; and to delegate to appropriate persons in the district the power to discipline students, including the power of suspension and expulsion, for violation of such rules and regulations.

2. The governing body may also delegate to any administrator or acting administrator designated by the governing body the power to suspend summarily any student whose presence on the district facility would, in the opinion of such administrator or acting administrator, seriously disrupt the operation of the district, or constitute a danger to the records or other physical properties of the district or to the health, safety or welfare of the student or other persons. Such summary suspension shall not exceed a period of five days, unless within such time the district has commenced formal disciplinary procedure and diligently pursues each procedure until its conclusion, in which event such summary suspension may be continued until such conclusion.

176.010. The following words and phrases as used in sections 176.010 to 176.080, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Governing body" shall mean:

(a) The board of curators of the university of the state of Missouri;

(b) The board of curators of Lincoln university of Missouri;

(c) The board of regents for the northeast Missouri state [teachers college] state university;

(d) The board of regents for the central Missouri state [college] university;

(e) The board of regents for the southeast Missouri state [college] university;

(f) The board of regents for the southwest Missouri state [college] university;

(g) The board of regents for the northwest Missouri state [college] university;

(h) The boards of regents for Missouri western state college, Missouri southern state college, and Harris-Stowe college;

[(h)] (i) The governing board of [trustees of] any [junior] public community college district [formed under sections 178.770 through 178.890, RSMo].

(2) "Net income and revenues" shall mean the income arising from the operation of a project remaining after providing for the costs of operation of such project and the costs of maintenance thereof.

(3) "Project" shall mean one or more dormitory buildings with or without dining room facilities as an integral part thereof, or dining room facilities alone, or any combination of dormitory and dining room facilities, or one or more social and recreational buildings, or any combination of dormitory, dining room, social and recreational facilities.

(4) "Revenue bonds" shall mean bonds issued hereunder for the purposes herein authorized and payable, both as to principal and interest, solely and only out of the net income and revenues arising from the operation of the project for which such bonds are issued after providing for the costs of operation and maintenance of such project, and, in addition thereto, in the discretion of the governing body, out of either one or both of the following sources:

(a) The proceeds of any grant in aid of such project which may be received from any source; and

(b) The net income and revenues arising from the operation of another project, as herein defined, already owned and operated by any such state educational institution. Such bonds shall not be deemed to be an indebtedness of the state of Missouri, the educational institution issuing them, the governing body of such educational institution, or the individual members of such governing body.

(5) "State educational institutions" shall mean and shall include:

(a) The state university of Missouri, incorporated as a body politic under the name of "The Curators of the University of Missouri", together with the departments of said state university especially established by law as the "College of Agriculture at Columbia" and the "School of Mines and Metallurgy at Rolla";

(b) "Lincoln University" at Jefferson City;

(c) The several state [teachers] regional universities colleges, to wit:

"Northeast Missouri State [Teachers College] University" at Kirksville, Missouri;

"Central Missouri State [College] University" at Warrensburg, Missouri;

"Southeast Missouri State [College] University" at Cape Girardeau, Missouri;

"Southwest Missouri State [College] University" at Springfield, Missouri;

"Northwest Missouri State [College] University" at Maryville, Missouri;

(d) The several state colleges, to wit:

"Missouri Southern State College" at Joplin, Missouri;

"Missouri Western State College" at St. Joseph, Missouri;

"Harris-Stowe College" at St. Louis, Misssouri;

[(d)] (e) [Junior] Public community college districts [formed under sections 178.770 through 178.890, RSMo].

178.370. Any public school district in this state which has a fully accredited high school may provide for two-year college courses in the schools and serve as a community college district as provided in section 1 through 30 of this act, on the approval of and subject to the supervision of the coordinating board for higher education.

APPENDIX B

Hearing Schedule and Witnesses

Jefferson City, State Capitol Room 332, Thursday, July 27, 1978

Committee Members Present:

Senator Warren Welliver, Chairman
Senator Mary L. Gant
Senator Emory Melton
Senator George E. Murray
Senator Allan G. Mueller

Witnesses:

Dr. Bruce Robertson, Commissioner, Department of Higher Education, Post Office Box 480, Jefferson City.

Dr. James C. Olson, President, University of Missouri, 321 University Hall, Columbia. (Dr. Olson was accompanied by Dr. A. G. Unklesbay, who did not testify, but who will be following through with the Committee for the University.)

Mr. Joseph E. Dietrich, Director, Division of Employment Security, Post Office Box 59, Jefferson City

Mr. Alam J. Aubuchon, Assistant Director, Division of Employment Security, Post Office Box 59, Jefferson City.

Major General William H. Blakefield, Kemper Military School and College, Boonville, Missouri, 65233

Colonel J. M. Sellers, Jr., Superintendent, Wentworth Military Academy, Lexington, Missouri 64067.

Dr. Dell Reed, President, Crowder College, Route 6, Box 355, Neosho, Missouri 64850, representing Missouri Association of Community Junior Colleges, 407 South 6th Street, Columbia and Crowder College.

Dr. Andrew Komar, President, Moberly Junior College College and Rollins Streets, Moberly, Missouri.

Mr. Edward E. Haynes, Director of Program Services, Division of Corrections, 911 Missouri Boulevard, Jefferson City.

State Representative Lloyd Baker, Route 3, Box 150, Moberly, Missouri.

Dr. B. Ray Henry, President, Jefferson College, Hillsboro, Missouri.

Kansas City, Missouri, Penn Valley Community College, Thursday, September 14, 1978

Committee Members Present:

Senator Warren Welliver, Chairman
Senator Harold L. Caskey, Vice-Chairman
Senator Mary L. Gant
Senator Allan G. Mueller

Witnesses:

Chancellor William Hatley, Metropolitan Community Colleges, 560 Westport Road, Kansas City, Missouri 64111.

Ilus Davis, Dietrich, David, Rowland and Schmitt, 1001 Dwight Building, Kansas City, Missouri 64105.

DeMorris Smith, Manager of Employment, Trans-World Airlines, 11500 Ambassador Drive, Kansas City, Missouri 64195.

William Dunn, Sr., President, J. E. Dunn Construction Company, 929 Holmes, Kansas City, Missouri 64105. (Also, President of the Greater Kansas City Chamber of Commerce.)

Girard Bryant, President, Board of Trustees, Metropolitan Community Colleges, 560 Westport Road, Kansas City, Missouri 64111.

The Honorable Archie McGee, County Legislator, Jackson County Courthouse, 308 West Kansas, Independence, Missouri 64050.

Dr. James B. Tatum, President, Board of Trustees, Crowder Community College, Neosho, Missouri 64850.

Reverend Robert Weiss, Rockhurst College, 5225 Troost Avenue, Kansas City, Missouri 64110.

Dr. Gerald J. Roderick, 56 East 69 Highway, Kansas City, Missouri. (State Representative not running for re-election.)

Dr. Robert Wheeler, Superintendent, Kansas City Missouri School District, 1211 McGee Street, Kansas City, Missouri 64106.

Fred E. Davis, President, State Fair Community College, Sedalia, Missouri 65301. (Presented written testimony of the President of their Board of Trustees, William Hopkins - with his comments.)

Honorable Charles Wheeler, Mayor of Kansas City, Missouri, 414 East 12th Street, Kansas City, Missouri 64106.

Harold Parker, Assistant Personnel Director, Burns-McDonnell, 4600 East 63rd Street, Post Office Box 173, Kansas City, Missouri 64141.

Eve Fisher, Vice President, Kansas City Area Hospital Association, 4420 Madison, Suite 280, Kansas City, Missouri 64111.

Larry Rode, 6601 Rockhill Road, Kansas City, Missouri 64114 - Representing Health Careers, Baptist and Memorial Hospitals - Respiratory Therapy.

Clarence Lawson, Regional Maintenance Supervisor, ABF Truck Lines, 3115 Nicholson, Kansas City, Missouri 64120

Ken Carter, Metropolitan Community Colleges - Longview Community College, 500 Longview Road, Lee's Summit, Missouri 64063

Michael Braude, Senior Vice President, American Bank, One West Armour Boulevard, Kansas City, Missouri 64111.

Nancy J. Campbell, 1634 West 51st Street, Kansas City, Missouri 64112 - former student, very supportive of junior colleges.

St. Louis, Missouri, Performing Arts Building, Room T-204, St. Louis Community College at Forest Park, Thursday, August 17, 1978

Committee Members Present:

Senator Warren Welliver, Chairman
Senator Frank Bild
Senator Edwin L. Dirck
Senator Emory Melton
Senator Allan Mueller

Witnesses:

Richard K. Greenfield, Chancellor, St. Louis Community College, 5801 Wilson Avenue, St. Louis, Missouri 63110.

The Honorable James F. Conway, Mayor of the City of St. Louis, City Hall, St. Louis, Missouri 63101

Barry Freedman, Manager, Governmental Affairs, St. Louis Regional Commerce and Growth Association, 10 South Broadway, St. Louis, Missouri 63101

Mrs. Virginia Constantz, 5954 Terrace Drive, House Springs, Missouri 63051

The Reverend Dr. William Collins, Jr., St. Louis Community Colleges, Administration Center, 5801 Wilson Avenue, St. Louis, Missouri 63110

Honorable Gene McNary, St. Louis County Supervisor, County Government Center, 7400 Forsyth, St. Louis, Missouri 63043

Dr. Arnold B. Grobman, Chancellor, University of Missouri - St. Louis, 8001 Natural Bridge Road, St. Louis, Missouri 63121

Dennis Birke, Route 1, Union, Missouri 63103

Dr. Leigh Gerdine, President, Webster College, 470 East Lockwood, St. Louis, Missouri 63119

Eugene J. Pfautsch, Branch Manager, Personnel Training McDonnell Douglas Corporation, Department 63, Building 220, Box 516, St. Louis, Missouri 63166

John Crites, 2027 Goodale, St. Louis, Missouri 63114

Professor Irving Gersten, JD+CD - National Education Association, Faculty Welfare Committee, 10330 Old Olive Road, St. Louis, Missouri 63141

Dr. Nancy Terrebonne, JCD - National Education Association, 10330 Old Olive Street Road, St. Louis, Missouri 63141

Professor Ruth Lewis, JCD - National Education Association, 10330 Old Olive Street Road, St. Louis, Missouri 63141

John J. Hamilton, Jr., Vice President, The Daniel and Henry Company, 10 Broadway, St. Louis, Missouri 63102

Elliott Reid, The Daniel and Henry Company, 1023 Dorchester, Kirkwood, Missouri.

Charles W. Swartout, 217 Calverton Road, St. Louis, Missouri 63135

Gordon L. Benson, 5107 Donovan, St. Louis, Missouri 63109

Mrs. Patricia L. Bohn, Executive Director, Adult Education Council, 607 North Grand, St. Louis, Missouri 63103

Ms. Josephine Lockhart, Executive Director, Greater St. Louis Health Systems Agency, 915 Olive Street, St. Louis, Missouri 63101

Jerry W. Guinn, Educational Chairman, UAW-Local 25, 3900 Goodfellow Boulevard, St. Louis, Missouri 63120

James Harding, District Supervisor, Division of Vocational Rehabilitation, 4401 Hampton, Suite 90, St. Louis, Missouri 63109

APPENDIX C

Official Exhibits

Introduced at Jefferson City Hearing

Exhibit No.

1. Prepared statement of Dr. Bruce Robertson, Commissioner of the Department of Higher Education.

2. Comprehensive Data Report on Community Colleges, submitted by Dr. Bruce Robertson.

Introduced at St. Louis Hearing

3. Correspondence with B. D. Owens, President, Northwest Missouri State University, regarding student transfers to that institution.

4. Materials submitted by Dr. James C. Olson, President of the University of Missouri, regarding transfers to the University and studies relating to transfer student success.

5. Letter from Colonel J. M. Sellers, Jr., Superintendent of Wentworth Military Academy and Junior College, dated June 27, 1978 containing background information, history, the contributions and problems at that institution.

6. Letter dated June 14, 1978 from Evelyn Milam, President of Cottey College, containing information relevant to that college.

7. Correspondence with Sister Rose Agnes Beckerly, President of St. Mary's College of O'Fallon, Inc., regarding the college and the intent of the Senate Select Committee.

8. Prepared statement of Dr. Charles McClain, President of Northeast Missouri State University at Kirksville, regarding the role of the community college in Missouri.

9. Prepared statement of Mr. Charles W. Carter, Alumni Representative, Moberly Junior College.

10. 1974 Report of Sub-Committee on Junior Colleges Findings and Recommendations, presented to the Senate Select Committee by State Representative Lloyd Baker.

11. Prepared statement of Dr. John R. Smart, Executive Director, Mid-Missouri Health Consortium, Inc.

12. Letter and informational material submitted by Mr. Edward E. Haynes, Assistant Director of the State Division of Corrections.

13. "Profiles of Missouri Public Community/Junior Colleges, July 1978." Prepared by the Missouri Association of Community and Junior Colleges.

14. Letter and material from Chancellor Barbara S. Uehling, University of Missouri-Columbia, dated August 10, 1978. Enclosures included two studies relating to manpower needs in health fields.

15. Correspondence with Dr. Bruce Robertson, Commissioner of the Department of Higher Education (dated 7/31/78 and 8/3/78) clarifying information presented in testimony at the July 27 Jefferson City hearing.

16. Letter from Frances L. Thomas, 4559 Lexington Avenue St. Louis, Missouri, dated August 15, 1978. This letter delineates her experience as a former student of St. Louis Community College at Forest Park and expresses strong support for community colleges.

Received After the Final Hearing

Entered by Senator Welliver

17. Vocational Education information and employment outlook materials submitted by the State Division of Employment Security.

18. Extensive job placement information relating to community college graduates submitted by Mr. B. W. Robinson, Assistant Commissioner of the Department of Elementary and Secondary Education.

19. Occupational Outlook Handbook, 1978-79 Edition, forwarded to the Committee by Mr. Boyd Eversole, Missouri Association of Community and Junior Colleges.

20. Prepared statement by William C. Hopkins, Chairman of Board of Trustees at State Fair Community College, Sedalia, Missouri (dated September 14, 1978).

21. Prepared statement of Mr. James B. Tatum, President of the Board of Trustees at Crowder College, Neosho, Missouri (dated September 14, 1978), supplementing verbal testimony.

22. Portions of Master Plan III submitted by Dr. Bruce Robertson. Commissioner of the Department of Higher Education.

23. Appropriations information gathered for the Committee by the Senate Appropriations Committee Staff includes some projections of costs regarding full state funding of community colleges.

24. Informational packet submitted by Dr. Richard Greenfield, Chancellor of St. Louis Community Colleges, at the St. Louis hearing. The packet includes funding source information, catalogs and miscellaneous information relating to St. Louis Community College.

25. Supplementary materials to the "Profiles of Missouri Public Community/Junior Colleges", prepared by the Missouri Association of Community and Junior Colleges; includes school catalogs, class schedules and other miscellaneous information.

26. Prepared statement of Chancellor Arnold Grobman, University of Missouri-St. Louis, presented at the St. Louis hearing.

27. Statistical information relating to transfer students to Webster College, presented by Dr. Leigh Gerdine, President of Webster College,on August 17, 1978 at the St. Louis hearing.

28. Resource documents relating to vocational education forwarded to the Committee by Mr. Boyd Eversole, Missouri Association of Community and Junior Colleges.

29. Information submitted as a supplement to testimony by Dr. Robert R. Wheeler, Superintendent of Kansas City Public Schools.

30. Illinois House of Representatives House Bill No. 2738, relating to job training programs, submitted in conjunction with testimony by Mr. Barry Freedman, St. Louis Regional Commerce and Growth Association.

31. The Kansas City Star, Section G, Sunday, September 10, 1978 edition submitted by Mr. Harold Parker, Burns-McDonnell Corporation. Mr. Parker outlined those positions available requiring vocational education background.

APPENDIX D

Non-Exhibit Materials

The following list contains additional information and materials collected by the Committee:

1. American Association of Community and Junior Colleges, fact sheets and informational papers on community colleges.

2. "Annual Descriptive Report of Program Activities for Vocational Education in Missouri - fiscal year ending June 30, 1977 ", Department of Elementary and Secondary Education, 1978.

3. Augenblick, John, "Issues in Financing Community Colleges", Report No. 78-2, Education Commission of the States.

4. Breneman, David W. and Nelson, Susan C., "An Economic Perspective on Community Colleges", The Brookings Institution Economic Studies Program.

5. Community College Division of the University of Nevada System, Bulletin No. 79-3, Report of the Legislative Commission of the Legislative Counsel Bureau - State of Nevada, August, 1978.

6. "Community College Studies - 1976, 1977", a compilation of summaries regarding community colleges, Education Commission of the States.

7. "Demographic Trends that Affect Public Education in Florida, 1965-1990", State of Florida, Department of Education, July, 1977.

8. "Enrollments in Higher Education in Kansas, 1973-1982", Legislative Educational Planning Committee (1202 State Commission), March, 1978.

9. "Fee-Cost Information at Board of Regents' Institutions", Kansas Legislative Research Department, June 4, 1976.

10. "Final Report: Missouri Public Junior College Study", Missouri Commission on Higher Education, Jefferson City, Missouri, July 1968.

11. Martorana, S. V. and Nespoli, Lawrence, "State Legislation Affecting Community Colleges", Community College Review, Vol. 5, No. 3, Winter-1976.

12. Plane, Robert A., "Independent Colleges: A Vital National Resource", Family Weekly, September 11, 1977.

13. "Report on Student Tuition at Regents' Institutions", Kansas Legislative Research Department, October 25, 1976.

14. "Report of the Task Force 1990", State Department of Elementary and Secondary Education, Jefferson City, Missouri, January 1977.

15. "State Financing of Community Colleges", Education Commission of the States, June 1978.

16. "The Fiscal Impacts of Declining Enrollments", Education Finance Center, Education Commission of the States, December 1976.

17. "Vocational Education: An Investment in the Future of Missouri", Summary Report of Task Force 1990, Missouri State Board of Education.

APPENDIX E

Current Missouri Law

The statues below comprise the current state law relating to community colleges in Missouri.

JUNIOR COLLEGE DISTRICTS

178.770. Organization of junior college districts—standards—corporate powers of districts.—1. In any public school district, or in any two or more contiguous public school districts in this state, whether in the same county or not, the voters resident therein may organize a junior college district in the manner hereinafter provided. Prior to the organization of a district under sections 178.770 to 178.890, the state board of education shall establish standards for the organization of the districts which shall include among other things:

(1) Whether a junior college is needed in the proposed district;

(2) Whether the assessed valuation of taxable, tangible property in the proposed district is sufficient to support adequately the proposed junior college; and

(3) Whether there were a sufficient number of graduates of high school in the proposed district during the preceding year to support a junior college in the proposed district.

2. When a district is organized, it shall be a body corporate and a subdivision of the state of Missouri and shall be known as "The Junior College District of ....., Missouri" and, in that name, may sue and be sued, levy and collect taxes within the limitations of sections 178.770 to 178.890, issue bonds and possess the same corporate powers as common and six-director school districts in this state, other than urban districts, except as herein otherwise provided.

(L. 1963 p. 200 §13-77)
(Source: L. 1961 p. 357 §1)

178.770

(1969) A junior college district organized under the provisions of this section may not be dissolved upon petitions under the provisions of section 162.451. Junior College Dist. of Met. Kansas City v. Mayse (A.), 446 S. W. (2d) 412.

178.780. State board to supervise colleges—duties.—1. Tax supported junior colleges formed prior to October 13, 1961, and those formed under the provisions of sections 178.770 to 178.890 shall be under the supervision of the state board of education.

2. The state board of education shall:

(1) Establish the role of the two-year college in the state;

(2) Set up a survey form to be used for local surveys of need and potential for two-year colleges; provide supervision in the conducting of surveys; require that the results of the studies be used in reviewing applications for approval; and establish and use the survey results to set up priorities;

(3) Require that the initiative to establish two-year colleges come from the area to be served;

(4) Administer the state financial support program;

(5) Supervise the junior college districts formed under the provisions of sections 178.770 to 178.890 and the junior colleges now in existence and formed prior to October 13, 1961;

(6) Formulate and put into effect uniform policies as to budgeting, record keeping, and student accounting;

(7) Establish uniform minimum entrance requirements and uniform curricular offerings for all junior colleges;

(8) Make a continuing study of junior college education in the state; and

(9) Be responsible for the accreditation of each junior college under its supervision. Accreditation shall be conducted annually or as often as deemed advisable and made in a manner consistent with rules and regulations established and applied uniformly to all junior colleges in the state. Standards for accreditation of junior colleges shall be formulated with due consideration given to curriculum offerings and entrance requirements of the university of Missouri.

(L. 1963 p. 200 §13-78)
(Source: L. 1961 p. 357 §2)

178.790. Boundaries of districts.—The boundaries of any junior college district organized under sections 178.770 to 178.890 shall coincide with the boundaries of the school district or of the contiguous school districts proposed to be included, and the junior college district shall be in addition to any other school districts existing in any portion of the area.

(L. 1963 p. 200 §13-79)
(Source: L. 1961 p. 357 §3)

178.800. Petition to establish district—election on proposal.—Whenever a petition, signed by voters in each component school district within a proposed junior college district area, equal in number to five percent of the number of votes cast for the director receiving the greatest number of votes within each component school district at the last preceding school election in each school district at which a director was elected, is presented to the state board of education, praying that a junior college district be organized for the purpose of offering junior college (13th and 14th year) courses, if the state board of education determines that the area proposed to be included within the district meets the standards established by it under the provisions of sections 178.770 to 178.890, it shall order an election held within the proposed district to vote on the proposal and to elect trustees, at the next following annual school election or meeting. If annual school elections of component school districts within a proposed junior college district area are not held on the same date, the state board of education shall set the date

for the organization election. At the election, the proposition shall be in substantially the following form:

PROPOSITION

Shall there be organized within the area comprising the School Districts of _____, state of Missouri, a junior college district for the offering of 13th and 14th year courses, to be known as the Junior College District of _____, Missouri, having the power to impose a property tax not to exceed the annual rate of _____ cents on the one hundred dollars assessed valuation of taxable property without voter approval and such additional taxes as may be approved by vote thereon, as prayed in petition filed with the State Board of Education at Jefferson City, Missouri, on the _____ day of _____, 19__?

For organization _____

Against organization _____

The election shall be conducted in the manner provided under the school law. Within fifteen days after the election, the results shall be transmitted by those receiving them under law in each component district to the state board of education, by certificates attesting to the total number of votes cast within each district on the proposition, the votes cast for and against the proposition and the votes cast for each candidate for trustee, together with the tally sheets attested to by the judges and clerks of election at each polling place within each district. The proposal to organize the junior college district, to carry, must receive a majority of the total number of votes cast thereon and the secretary of the state board of education, from the results so certified and attested, shall determine whether the proposal has received the majority of the votes cast thereon and shall certify the results to the state board of education. If the certificate of the secretary of the state board of education shows that the proposition to organize the junior college district has received a majority of the votes cast thereon, the state board of education shall make an order declaring the junior college district organized and cause a copy thereof to be recorded in the office of recorder of deeds in each county in which a portion of the new district lies. If the proposition carries, the board shall also determine which candidates have been elected trustees under section 178.820. If the proposition to organize the district fails to receive a majority of the votes cast thereon, no tabulation shall be made to determine the candidates elected trustees.

(L. 1963 p. 200 §13-80)
(Source: L. 1961 p. 357 §4)

178.810. Notice of election—election conducted, how.—1. Notice of the organization election shall be given by the state board of education by publication in at least one newspaper of general circulation in each county including any portion of the proposed junior college district, and within each city not in a county within the proposed district, once a week for three consecutive weeks, the last insertion to be no longer than one week prior to the date of election.

2. The election shall be conducted in the same manner, at the same polling places and by the same election officials who are conducting elections on that day in each component school district. If there is no school election conducted on that day in a component school district within the proposed junior college district, then for that component school district the polling places and the judges and clerks of election shall be selected and the election conducted in the same manner and by the same board or body that selects judges and clerks and conducts elections in that component district.

(L. 1963 p. 200 §13-81)
(Source: L. 1961 p. 357 §6)

178.820. Trustees, election of—subdistricts—redistricting committees—trustee of subdistrict, residency requirements, qualifications.—1. In the organization election, six trustees shall be elected at large throughout the entire proposed district. The two candidates receiving the greatest number of votes shall be elected for terms of six years each, the two receiving the next greatest number of votes for terms of four years each, the two receiving the next greatest number of votes for terms of two years each, and such terms shall be effective until the first Tuesday in April coinciding with or next following such period of years, or until the successors to such trustees have been duly elected and qualified. Thereafter, the trustees shall be elected for terms of six years each.

2. Following the initial election, the board of trustees may, at any duly called meeting, adopt a resolution calling for the formation of a redistricting committee to consider the formation of subdistricts within the junior college district from which trustees are thereafter to be elected. Upon adoption of any such resolution, the secretary of the board of trustees shall forward a certified copy thereof to the coordinating board for higher education with the request that a redistricting committee be appointed in order to divide the junior college districts into at least two and not more than six subdistricts for the purpose of electing trustees. The redistricting committee shall consist of three residents within the affected district, appointed by the board of trustees of the affected district, plus three additional persons residents within the affected district, appointed by the coordinating board for higher education. Thereafter, the redistricting committee shall meet, organize itself with a chairman and secretary, and proceed with the adoption of a redistricting plan specifying at least two but not more than six subdistricts which are to the extent possible so apportioned on the basis of population that the population of any such subdistrict divided by the number of trustees to be selected therefrom substantially equals the population of any other subdistrict divided by the number of trustees to be selected therefrom. The redistricting plan referred to herein, in lieu of requiring all trustees to be elected from subdistricts, may provide for the election of one or more trustees at large and the remainder from subdistricts, or for the election of all of the trustees at large with the requirement that each must reside in a certain subdistrict, so long as in any plan adopted, subdistricts are apportioned as provided above. Notwithstanding the above, the board of trustees of any junior college district which contains more than four hundred fifty thousand residents shall at the first duly called meeting following August 13, 1972, and thereafter within ninety days following the publication of the decennial census figures adopt a resolution calling for the formation of a redistricting committee; and the redistricting committee shall adopt a redistricting plan specifying the establishment of not less than four nor more than six subdistricts compact and contiguous in territory and apportioned as provided above.

E-2

3. In any district which shall contain a city not within a county, if four subdistricts are established, then at least one subdistrict shall be within said city, and if five or six subdistricts are established, then at least two subdistricts shall be within said city.

4. Any person running for election as a trustee of a subdistrict shall be domiciled and a resident therein. Any plan proposed to be adopted must receive approval of a majority of the whole redistricting committee. Upon adoption the redistricting committee shall forward a copy of the plan certified by the secretary to the coordinating board for higher education for its approval or disapproval. The coordinating board for higher education shall approve any redistricting plan in which the population of any subdistrict divided by the number of trustees to be selected therefrom substantially equals the population of any other subdistrict divided by the number of trustees to be elected therefrom. Upon approval, the redistricting plan shall become effective and all trustees elected thereafter shall be required to be elected from subdistricts in which they are resident. If the plan is not approved, then it shall be returned to the redistricting committee for revision and resubmission. Until approval of a plan by the coordinating board for higher education, trustees of a district shall continue to run at large. Upon approval of any plan, the board of trustees shall determine by resolution the assignment of trustees to subdistricts. Any such assignment shall not affect the term of office of any such trustee. Once a district has been divided into subdistricts in accordance with the provisions hereof, it shall remain so divided until one year following the publication of the decennial census figures, by which date a new plan shall have been adopted or the trustees shall again be required to run in the district at large; provided, however, that if during the period between publications of decennial census figures the area of a district is increased or decreased, a new plan shall be adopted within one year thereafter or the trustees shall be required to run in the district at large. No member of the redistricting committee shall serve on the board of trustees for a period of six years following his* service on the redistricting committee.

5. Candidates for the office of trustee shall be citizens of the United States, at least twenty-one years of age, who have been resident taxpayers of the district for at least one whole year preceding the election, and if trustees are elected other than at large they shall be resident taxpayers of the subdistricts for at least one whole year next preceding the election. All candidates for the first board of a district shall file their declarations of candidacy with the coordinating board for higher education at least thirty-six days prior to the date of the organization election.

(L. 1963 p. 200 § 13-82, A. L. 1972 H. B. 1169)
* Word "their" appears in original rolls.

Bass, G. Allen, note—"Uncertain Voices in the Representation Thicket: Hadley v. Junior College District", UMKC L. Rev., Vol. XXXIX, p. 78 (1970).

(1970) The Fourteenth Amendment to the Constitution of the United States requires that the trustees of a junior college district be apportioned in a manner which adheres as nearly as is practicable to the "one-man, one-vote" principle. The plan of this section apportioning trustees among the separate school districts on the basis of school enumeration does not conform to this principle. Hadley v. Junior College District of Metro. Kansas City, Mo., 90 S. Ct. 791.

(1972) Sections 178.770 to 178.890 is a complete and enforceable act after deleting the unconstitutional provisions relating to the alternative component district plan for electing trustees. Under the remaining provisions of the act, at large elections among candidates residing anywhere in the district should be held and order of trial judge directing an at large election among candidates required to live in rural component district held to be outside judge's authority. State ex rel. Enright v. Connett, (Mo.), 475 S. W. (2d) 78.

178.830. Board of trustees—oath—officers—quorum—vacancies filled, how—seal.—Newly elected members of the board of trustees shall qualify by taking the oath of office prescribed by article VII, section 2*, of the Constitution of Missouri. The board shall organize by the election of a president and vice president, a secretary and a treasurer. The secretary and treasurer need not be members of the board. A majority of the board constitutes a quorum for the transaction of business, but no contract shall be let, teacher employed or dismissed, or bill approved unless a majority of the whole board votes therefor. Any vacancy occurring in the board shall be filled by appointment by the remaining members of the board, and the person appointed shall hold office until the next election held by the junior college district when a trustee shall be elected for the unexpired term. The board shall keep a common seal with which to attest its official acts.

(L. 1963 p. 200 § 13-83)
(Source: L. 1961 p. 357 § 7)
*Probably should be 11.

178.835. Discipline of students.—1. The governing body of each public junior college district and each public school district offering junior college courses shall possess full power and authority to adopt rules and regulations for the guidance and supervision of the conduct of its college students; to enforce compliance therewith; and to delegate to appropriate persons in the district the power to discipline students, including the power of suspension and expulsion, for violation of such rules and regulations.

2. The governing body may also delegate to any administrator or acting administrator designated by the governing body the power to suspend summarily any student whose presence on the district facility would, in the opinion of such administrator or acting administrator, seriously disrupt the operation of the district, or constitute a danger to the records or other physical properties of the district or to the health, safety or welfare of the student or other persons. Such summary suspension shall not exceed a period of five days, unless within such time the district has commenced formal disciplinary procedure and diligently pursues each procedure until its conclusion, in which event such summary suspension may be continued until such conclusion.

(L. 1971 S. B. 129, A. L. 1972 S. B. 455)

178.840. Elections, when held, how conducted—certification of votes cast—special election, when held.—1. After organization, the voters of the junior college district shall vote for trustees and on all other propositions provided by law for submission at school elections which are applicable to junior college districts. Regular elections in junior college districts shall be held on the first Tuesday in April in the years in which trustees are to be elected or propositions must be voted upon.

2. Elections in junior college districts shall be conducted as provided in subsection 2 of section 178.810. When an election for trustees or any other proposition provided by law for submission at school elections which are applicable solely to a junior college district is held, and no other office is to be voted upon, and no other question is submitted at the same election, all costs incident to such elections shall be borne by the junior college district. In any election in which such other office is to be voted upon or any other question not involving the junior college district is also submitted, the junior college district shall bear its pro rata share of the costs incident to such election. Notice of elections shall be given by the board of trustees by publication in at least one newspaper of general circulation within each county, and within each city not in a county within the district, at least once a week for three consecutive weeks, the last insertion to be no longer than one week prior to the date of election. If trustees are elected other than at large throughout the entire district, then only those voters within the subdistrict from which the trustee or trustees are to be elected shall cast their ballots for the trustee or trustees from that subdistrict. All candidates for the office of trustee shall file their declarations of candidacy with the secretary of the board of trustees at least thirty-six days prior to the date of election. If voting machines are not used in a component district, then the board of trustees shall cause ballots to be printed and distributed for the polling places in the district or subdistricts at the expense of the junior college district.

3. The secretary of the board of education, district clerk, the board of election commissioners, or other person or persons having charge of elections in each subdistrict, as the case may be, shall certify to the board of trustees of the junior college district the total number of votes cast for each candidate and the votes cast on all questions submitted within fifteen days after any election. Within ten days thereafter, at least a majority of the then qualified members of the board of trustees of the junior college district shall jointly tabulate the results so received, shall declare and certify the candidates receiving the greatest number of votes for terms of six years each and until their successors are elected and qualified and shall declare and certify the results of the votes cast on any question presented at the election.

4. Anything in the foregoing provisions of this section to the contrary notwithstanding, any junior college district may call a special election on a proposal to borrow money and issue bonds for any lawful purpose. The special election shall be held on the date to be specified in the call, and notice thereof shall be given and the special election shall be held in the manner provided by the law governing such elections in six-director school districts.

(L. 1963 p. 200 § 13-84 and p. 346 § 165.813, A. L. 1967 p. 280, A. L. 1972 H. B. 1169)

178.850. District to provide college courses—per capita cost to be determined—tuition charges.—A junior college district organized under sections 178.770 to 178.890 shall provide instruction, classes, school or schools for pupils resident within the junior college district who have completed an approved high school course. The board of trustees of the district shall determine the per capita cost of the college courses, file the same with the state board of education and, upon approval thereof by the state board of education, shall require of all nonresidents who are accepted as pupils a tuition fee in the sum that is necessary for maintenance of the college courses. In addition thereto, the board may charge resident pupils the amounts that it deems necessary to maintain the college courses, taking into consideration the other funds that are available under law for the support of the college courses.

(L. 1963 p. 200 § 13-85)
(Source: L. 1961 p. 357 § 9)

178.860. Board to appoint employees—fix compensation—teachers to be members of public school retirement system.—The board of trustees shall appoint the employees of the junior college, define and assign their powers and duties and fix their compensation. All certificated personnel shall be members of the public school retirement system of Missouri under provisions of section 169.010, RSMo.

(L. 1963 p. 200 § 13.86)
(Source: L. 1961 p. 357 § 10)

178.862. Junior college district police—oath, powers, qualifications.—1. The trustees of any junior college district of this state may appoint and employ as many college police officers as they may deem necessary to protect persons, property, and to preserve peace and good order only in the public buildings, properties, grounds, and other facilities and locations over which they have charge or control.

2. The college police officers, before they enter upon their duties, shall take and subscribe an oath of office before some officer authorized to administer oaths, to faithfully and impartially discharge the duties thereof, which oath shall be filed in the office of the college district board of trustees, and the secretary of the board shall give each college police officer so appointed and qualified a certificate of appointment, under the seal of the board of trustees, which certificate shall empower him with the same authority to maintain order, preserve peace and make arrests as is now held by peace officers; the college police officer may in addition expel from the public buildings, campuses, and grounds, persons violating the rules and regulations that may be prescribed by the board of trustees or others under the authority of the board. Such officer or employee of the junior college as may be designated by the board of trustees shall have immediate charge, control and supervision of college police officers appointed by authority of this section. Such college police officers shall have satisfactorily completed before appointment, or within six months after appointment, a training course for college police officers which shall consist of at least three hundred twenty hours as prescribed by the superintendent of the Missouri state highway patrol. The junior college district shall reimburse all such college police officers appointed by them who complete the training course for all reasonable and necessary expenses incurred in taking the training course, and shall reimburse the highway patrol for any expenses directly relating to the prescribed or holding of a training course which are recommended by the patrol.

3. Nothing herein shall be construed as denying the board of trustees the right to appoint guards or watchmen who shall not be given the authority and powers hereby authorized.

(L. 1974 H. B. 917 § 1)

178.870. Tax rate limits, how increased. —Any tax imposed on property subject to the taxing power of the junior college district under article X, section 11(a) of the constitution without voter approval shall not exceed the annual rate of ten cents on the hundred dollars assessed valuation in districts having one billion dollars or more assessed valuation; twenty cents on the hundred dollars assessed valuation in districts having five hundred million dollars but less than one billion dollars assessed valuation; thirty cents on the hundred dollars assessed valuation in districts having two hundred fifty million dollars but less than five hundred million dollars assessed valuation; forty cents on the hundred dollars assessed valuation in districts having less than two hundred fifty million dollars assessed valuation; except that, no public junior college district having an assessed valuation in excess of one hundred million and less than two hundred fifty million which is levying an operating levy of thirty cents per one hundred dollars assessed valuation on September 28, 1975, shall increase such levy above thirty cents per one hundred dollars assessed valuation without voter approval. Districts which operate institutions awarding degrees above the associate degree shall not be affected by the changes provided in this section. Increases of the rate with voter approval shall be made in the manner provided in chapter 164, RSMo, for school districts.

(L. 1963 p. 200 § 13-87, A. L. 1975 S. B. 190)
(Source: L. 1961 p. 357 § 11)

178.880. Taxation of public utility property—rate not included in determining rate to be levied by other school districts.—All real and tangible personal property owned by railroads, street railways, boats, vessels, bridge companies, telegraph companies, electric light and power companies, electric transmission line companies, pipeline companies, express companies, airline companies and other companies and public utilities whose property is assessed by the state tax commission shall be taxed at the same rate of taxation which is levied on other property in the junior college district in the same manner and to the same extent that the property is subject to assessment and taxation for general county purposes, and all of the provisions of chapters 151, 153, 154 and 155, RSMo, shall apply to taxation by junior college districts to the same extent as if the junior college districts were specifically included in the provisions contained in chapters 151, 153, 154 and 155, RSMo, except that the taxes levied by junior college districts shall not be included for the purpose of determining the average school levy for the other school districts in the county in which they are situated. The taxes levied against the property by junior college districts shall be collected in the same manner as taxes are collected on the property from general county taxes.

(L. 1963 p. 200 § 13-88)
(Source: L. 1961 p. 357 § 12)

178.890. Annexation of school districts—new junior college district formed, when—refusal without cause of petition to annex, penalty.—1. If the area of an entire school district which adjoins a junior college district organized under sections 178.770 to 178.890 desires to be attached thereto and become a part of the junior college district it may do so in the manner provided for annexation under section 162.441, RSMo. If the area of an entire school district which adjoins a district offering a two-year college course under section 178.370 on October 13, 1961, and receiving aid under section 163.191, RSMo, desires to be attached thereto for junior college purposes only, the annexation shall be completed under section 162.441, RSMo, and upon the annexation, a special junior college district shall be established in the entire area as provided in sections 178.770 to 178.890, and notice thereof shall be given to the state board of education. The state board of education, within sixty days, shall call a special election for the election of trustees to be conducted in the manner provided in sections 178.810 to 178.820.

2. If the board of trustees of the receiving district rejects the petition for annexation, the state board of education may be petitioned for a hearing and upon receipt of the petition the state board shall establish the time and place and proceed to a hearing. If the state board of education finds that refusal to honor the petition for annexation has been made without good cause, the state board in its discretion may withhold a portion or all of the state aid from the district which is payable under the provisions of section 163.191, RSMo.

(L. 1963 p. 200 § 13-89)
(Source: L. 1961 p. 357 § 13)

MISCELLANEOUS PROVISIONS

163.191. State aid to junior college districts and school districts providing junior colleges.—1. All students, resident in the state of Missouri, attending schools or classes of a junior college district shall be included in the attendance records of the junior college district for the apportionment of school funds. Each junior college district is eligible to receive from state funds, if funds are available and appropriated, for the fiscal year ending June 30, 1976, the sum of twenty dollars for each credit hour produced in a program approved by the department of higher education. Each year thereafter each junior college is eligible to receive from state funds, if funds are available and appropriated, an amount up to but not more than fifty percent of the state average operating cost per credit hour as approved by the department of higher education. The average operating cost per credit hour shall be determined by dividing the total operating cost for all junior college districts receiving state aid by the total number of eligible credit hours produced by the junior college districts. The department of higher education shall review all institutional budget requests and prepare appropriation recommendations annually for the public junior colleges under its supervision. The department's budget request shall include a recommended level of funding per academic and other nonoccupational or nonvocational credit

hour and an increased level of funding per occupational or vocational credit hour. The recommendation shall also include the number of approved credit hours in each category for each public junior college. Both current operating costs and the number of eligible credit hours produced shall be estimated on the then current year, to be adjusted on actual operating costs incurred and the actual number of eligible credit hours produced at the end of the year. A "year" is defined as from July first to June thirtieth of the following year. The term "operating costs" means all those costs attributable to current operation of the district including all direct costs of instruction, instructors and counselors compensation, administrative costs, all normal operating costs and all similar noncapital expenditures during any year, but excluding costs of construction of facilities and purchases of equipment and furniture and other capital items. Current operating costs shall be computed under accounting methods and procedures to be specified by the state department of higher education. The term "eligible credit hours produced" means for the purpose of such claims actual participation through the fourth week of the session the course is offered. In the case of eligible credit hours produced in a summer session, the claim for reimbursement shall be presented in the claim covering that particular school year in which the summer session ends.

2. School districts offering two-year college courses under section 178.370, RSMo, on October 31, 1961, shall receive state aid under subsection 1 if all scholastic standards established under and pursuant to sections 178.770 to 178.890, RSMo, are met.

(L. 1963 p. 200 § 4-19, A. L. 1965 p. 287, A. L. 1967 p. 249, A. L. 1972 S. B. 384, A. L. 1975 H. B. 526)

169.140. Full-time employees of a public junior college, college or university who are certificated as teachers to be members, when —exceptions.—Any person employed in a public junior college, college or university upon a full-time basis and who shall be duly certificated under the law governing the certification of teachers, or any person employed in said public junior college, college or university in a full-time teaching, supervisory or educational administrative position certified by the executive officer of the institution for such full-time duties shall be a member of the public school retirement system of Missouri; except that, if the employee is a member of the nonteacher employees' retirement system or the state employees' system, at the time such employment would qualify him for membership under this section, he may elect to continue in such system if he makes the election to continue within thirty days after sections 169.010 and 169.140 take effect or at the time he becomes eligible for membership in the public school retirement system. This section shall not be construed to include employees of the university of Missouri or Lincoln university.

(L. 1977 S. B. 325)

174.266. Trustees of Jasper county junior college district and Missouri western junior college district, change in duties and powers of.— After July 1, 1977, the board of trustees of the Jasper county junior college district and the board of trustees of the Missouri western junior college district shall have no duties other than those specified by sections 174.241, 174.261 and 174.266 and shall not exercise any powers previously held.

(L. 1975 S. B. 114 § 5)
Effective 7-1-77

176.010. Definitions.—The following words and phrases as used in sections 176.010 to 176.080, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "**Governing body**" shall mean:

(a) The board of curators of the university of the state of Missouri;

(b) The board of curators of Lincoln university of Missouri;

(c) The board of regents for the northeast Missouri state teachers college;

(d) The board of regents for the central Missouri state college;

(e) The board of regents for the southeast Missouri state college;

(f) The board of regents for the southwest Missouri state college;

(g) The board of regents for the northwest Missouri state college;

(h) The board of trustees of any junior college district formed under sections 178.770 through 178.890, RSMo.

(2) "**Net income and revenues**" shall mean the income arising from the operation of a project remaining after providing for the costs of operation of such project and the costs of maintenance thereof.

(3) "**Project**" shall mean one or more dormitory buildings with or without dining room facilities as an integral part thereof, or dining room facilities alone, or any combination of dormitory and dining room facilities, or one or more social and recreational buildings, or any combination of dormitory, dining room, social and recreational facilities.

(4) "**Revenue bonds**" shall mean bonds issued hereunder for the purposes herein authorized and payable, both as to principal and interest, solely and only out of the net income and revenues arising from the operation of the project for which such bonds are issued after providing for the costs of operation and maintenance of such project, and, in addition thereto, in the discretion of the governing body, out of either one or both of the following sources:

(a) The proceeds of any grant in aid of such project which may be received from any source; and

(b) The net income and revenues arising from the operation of another project, as herein defined, already owned and operated by any such state educational institution.

Such bonds shall not be deemed to be an indebtedness of the state of Missouri, the educational institution issuing them, the governing body of such educational institution, or the individual members of such governing body.

(5) **"State educational institutions"** shall mean and shall include:

(a) The state university of Missouri, incorporated as a body politic under the name of "The Curators of the University of Missouri", together with the departments of said state university especially established by law as the "College of Agriculture at Columbia" and the "School of Mines and Metallurgy at Rolla";

(b) "Lincoln University" at Jefferson City;

(c) The several state teachers colleges, to wit:

"Northeast Missouri State Teachers College" at Kirksville, Missouri;

"Central Missouri State College" at Warrensburg, Missouri;

"Southeast Missouri State College" at Cape Girardeau, Missouri;

"Southwest Missouri State College" at Springfield, Missouri;

"Northwest Missouri State College" at Maryville, Missouri;

(d) Junior college districts formed under sections 178.770 through 178.890, RSMo.

(L. 1945 p. 1715 §1, A. L. 1965 2d Ex. Sess. p. 896)
For case notes, see Vol. III RSMo 1949

176.020. Any state educational institution empowered to acquire and to construct a project necessary for the use of students.—1. Any state educational institution of the state of Missouri, as herein defined, shall have the power, acting through its governing body, to acquire, construct, erect, equip, furnish, operate, control, manage and regulate a project, as herein defined, as in the judgment of such governing body shall be necessary, advisable, and suitable for the use of students attending such educational institution.

2. Such state educational institutions shall have the further power to use real property now or hereafter belonging to such educational institution as a site for any such project, or to acquire by purchase, lease, gift or otherwise such real or personal property as in the judgment of the governing body of such educational institution shall be necessary, advisable and suitable for such purpose.

3. In acquiring such property such educational institution shall have the power to condemn any and all rights or property, either public or private, of every kind and character, necessary for the purposes aforesaid, and in the exercise of such power of condemnation, it shall follow the procedure which is now or may hereafter be provided by law for the appropriation of land or other property taken for telegraph, telephone or railroad rights-of-way.

(L. 1945 p. 1715 §2)
For case notes, see Vol. III RSMo 1949

176.030. Power to issue and sell revenue bonds.—For the purpose of providing funds for the acquisition, construction, erection, equipment and furnishing of any such project, and for providing a site therefor, as herein provided, the governing body of such educational institution shall have the power to issue and sell revenue bonds, as herein defined, in an amount not to exceed the estimated cost of such project, including costs necessarily incidental thereto.

Provided, however, that no such bonds shall be issued and sold unless, at the time of the issuance thereof, the governing body of the educational institution so issuing them, shall pledge the net income and revenues of such project to the payment of such bonds, both principal and interest, and shall covenant to fix, maintain and collect such reasonable rates and charges for the use of such project as in the judgment of such governing body will provide revenues sufficient to pay the reasonable cost of operating and maintaining such project; to provide and maintain an interest and sinking fund in an amount adequate promptly to pay the principal of and interest on such bonds; to provide a reasonable reserve fund; and to provide a reasonable fund for depreciation. In addition to pledging such net income and revenues as herein provided, such governing body, in its discretion, may pledge to the payment of such bonds, both principal and interest, either one or both of the following:

(1) The proceeds of any grant in aid of such project which may be received from any source; and

(2) The net income and revenues arising from the operation of another project, as herein defined, already owned and operated by any such state educational institution.

(L. 1945 p. 1715 §3)

176.035. Priority of liens of successive series of bonds, how fixed.—If more than one series of bonds shall be issued under sections 176.010 to 176.080 payable from the net income and revenues of any project or projects, priority of lien thereof on such net income and revenues shall depend on the provisions of the proceedings authorizing the issuance of such bonds, it being within the discretion of the governing body, at the time it authorizes any such series, to provide that subsequent series of bonds payable from such net income and revenues may not be issued, that subsequent series of bonds shall be subordinate as to lien, or that subsequent series of bonds shall enjoy parity of lien if such conditions and restrictions as may be specified in such proceedings can be met.

(L. 1959 H. B. 367 §176.035)

176.040. Bonds not to be considered an indebtedness.—Any bonds issued under and pursuant to sections 176.010 to 176.080 shall not be deemed to be an indebtedness of the state of Missouri or of any such educational institution, or of the governing body thereof, or of the individual members of such governing body, and shall not be deemed to be an indebtedness within the meaning of any constitutional or statutory limitation upon the incurring of indebtedness.

(L. 1945 p. 1715 §4)

176.050. May issue serial bonds or term bonds—rate of interest—sale of bonds.—1. Bonds issued under and pursuant to the provisions of sections 176.010 to 176.080 shall be of such denomination or denominations, shall bear such rate or rates of interest, and shall mature at such time or times within forty years from the date thereof, as the governing body of such educational institution may determine. Such bonds may be either serial bonds or term bonds.

2. Serial bonds may be issued with or without the reservation of the right to call them for payment and redemption in advance of their maturity, upon the giving of such notice, and with or without a covenant requiring the payment of a

premium in the event of such payment and redemption prior to maturity, as the governing body may determine.

3. Term bonds shall contain a reservation of the right to call them for payment and redemption prior to maturity at such time or times and upon the giving of such notice, and upon the payment of such premium, if any, as the governing body may determine.

4. Such bonds, when issued, shall be sold at public sale for the best price obtainable after giving such reasonable notice of such sale as may be determined by the governing body of the educational institution issuing such bonds, but in no event shall such bonds be sold for less than ninety-eight percent of the par value thereof, and accrued interest. Any such bonds may be sold to the United States of America or to any agency or instrumentality thereof, at a price not less than par and accrued interest, without public sale and without the giving of notice as herein provided.

5. Such bonds, when issued and sold, shall be negotiable instruments within the meaning of the law merchant and the negotiable instruments law, and the interest thereon shall be exempt from income taxes under the laws of the state of Missouri.

(L. 1945 p 1715 §5, A. L. 1955 p. 540, A. L. 1965 2d Ex. Sess. p. 896)

176.055. Provision for issuance, installment payment of bonds and conversion to smaller bonds.—Notwithstanding any other provision of law, in any resolution authorizing bonds under sections 176.010 to 176.080, including refunding bonds, the governing body may provide for the initial issuance of one or more bonds (in this section called "bond") and may make such provision for installment payments of the principal amount of any such bond as it may consider desirable and may provide for the making of any such bond registrable as to principal or as to both principal and interest, and where interest accruing thereon is not represented by interest coupons, for the endorsing of payments of interest on such bond. The governing body may further make provision in any such resolution for the manner and circumstances in and under which any such bond may in the future, at the request of the holder thereof, be converted into bonds of smaller denominations, which bonds of smaller denominations may in turn be either coupon bonds or bonds registrable as to principal or principal and interest.

(L. 1959 H. B. 367 §176.055)

176.060. Refunding of bonds.—1. The revenue bonds issued pursuant to the provisions of sections 176.010 to 176.080 may be refunded, in whole or in part, in any of the following circumstances, to wit:

(1) When any such bonds have by their terms become due and payable and there are not sufficient funds in the interest and sinking fund provided for their payment, to pay such bonds and the interest thereon.

(2) When any such bonds are by their terms callable for payment and redemption in advance of their date of maturity and shall have been duly called for payment and redemption.

(3) When any such bonds are voluntarily surrendered by the holder or holders thereof for exchange for refunding bonds.

2. For the purpose of refunding any bonds issued hereunder, including refunding bonds, the governing body of any state educational institution may make and issue refunding bonds in such amount as may be necessary to pay off and redeem the bonds to be refunded together with unpaid and past due interest thereon and any premium which may be due under the terms of such bonds, together also with the cost of issuing such refunding bonds, and may sell the same in like manner as is herein provided for the sale of revenue bonds, and with the proceeds thereof pay off, redeem and cancel such old bonds and coupons as may have matured, or such bonds as may have been called for payment and redemption, together with the past due interest and the premium, if any, due thereon, or such bonds may be issued and delivered in exchange for a like par value amount of bonds to refund which the refunding bonds were issued; provided, however, that no refunding bonds issued pursuant to the provisions of sections 176.010 to 176.080 shall be payable in more than forty years from the date thereof or shall bear interest at a rate in excess of six percent per annum.

3. Such refunding bonds shall be payable from the same sources as were pledged to the payment of the bonds refunded thereby and, in the discretion of the governing body, may be payable from any other sources which under sections 176.010 to 176.080 may be pledged to the payment of revenue bonds issued hereunder. Bonds of two or more issues of any state educational institution may be refunded by a single issue of refunding bonds.

(L. 1945 p. 1715 §6, A. L. 1955 Ex. Sess. p. 30)

176.070. Governing body to provide details—rights of bondholders.—The governing body of any state educational institution issuing bonds under the provisions of sections 176.010 to 176.080 is hereby authorized to prescribe the form, details and incidents of such bonds, and to make such covenants as in its judgment may be advisable or necessary properly to secure the payment thereof; provided, that such form, details, incidents and covenants shall not be inconsistent with any of the provisions of sections 176.010 to 176.080. The holder or holders of any bond or bonds issued hereunder or of any coupons representing interest accrued thereon may, by proper civil action either at law or in equity, compel the governing body of the state educational institution issuing such bonds to perform all duties imposed upon it by the provisions of sections 176.010 to 176.080, including the making and collecting of sufficient rates and charges for the use of the project for which such bonds were issued, and also to enforce the performance of any and all other covenants made by such governing body in the issuance of such bonds.

(L. 1945 p. 1715 §7)

176.080. Bonds to be issued pursuant to resolution.—Bonds may be issued under the provisions of sections 176.010 to 176.080 pursuant to a resolution adopted by the affirmative vote of two-thirds of the members of the governing body of any state educational institution as herein defined, and no other proceedings shall be required therefor.

(L. 1945 p. 1715 §8)

178.380. Per capita cost of courses to be determined—tuition.—The school board of the district, before the establishment of the courses of instruction, shall determine as near as possible the per capita cost of the college courses in the school and state the amount in its application to the state board of education. Upon the approval of the college courses by the state board of education and upon the establishment of the college courses in the district, the school board may require of all resident students over twenty years of age and also all non-resident students desiring to take the courses at the school a tuition fee in the sum thought to be necessary for the maintenance of the college courses in the school, taking into consideration the other funds provided by law for the support of such college courses.

(L. 1963 p. 200 § 13-38)
(Source: RSMo 1959 § 165.127)

178.390. Board may set aside funds for pupil's tuition.—The school board of any school district in this state in order to carry out the provisions of sections 178.370 to 178.400, may set aside from its funds for school purposes any sum that is not needed to maintain the elementary and high schools in the district, for the purpose of paying, or contributing to the payment of, the tuition of its students who have completed the high school course and who attend a school that maintains such college courses in any other district. In the event that the sum is not sufficient to pay the tuition fixed by the board the sum shall be prorated among the students taking the college courses. No district shall set aside for the purpose a sum greater than the amount necessary to pay the tuition so fixed by the receiving school district.

(L. 1963 p. 200 § 13-39)
(Source: RSMo 1959 § 165.133)

178.400. Junior colleges established prior to October 13, 1961, to be supervised by coordinating board for higher education—exemptions allowed such colleges.—All junior colleges established prior to October 13, 1961, are under the supervision of the coordinating board for higher education and shall conform to the scholastic standards established by the coordinating board, but no such district may be dissolved except as now provided by law and in no instance because it does not meet the standards for organization established by the coordinating board under the provisions of section 178.770; except that no junior college established under section 178.370 shall be denied state aid nor lose its accreditation for a period of not less than ten years from October 13, 1975, if it continues to offer courses equal or superior to the courses offered on October 13, 1961, and continues to have an enrollment equal to or greater than its enrollment on October 13, 1961.

(L. 1963 p. 200 § 13-40, A. L. 1965 p. 307, A. L. 1975 H. B. 243)
(Source: L. 1961 p. 357 § 16)

APPENDIX F

Statistical Data Relating to Community Colleges

Table 1 - Student Enrollment in Community Colleges for the Years 1970-1977, broken down by institution.

Table 2 - Degrees and Other Formal Awards Conferred at Missouri Two-year Colleges (1974-1977).

Table 3 - Vocational Education Completions and Placements, 1976-1977.

Table 4 - Missouri Employment Figures and Projections for Selected Occupations.

Table 5 - Transfer Student Information - Transfers from Community Colleges to Other Institutions in Missouri (1970-1977).

TABLE 1

Headcount Enrollment in Missouri State Two-Year Colleges, Fall 1970-1977

Institution	1971 Headcount	1973 Headcount	1975 Headcount	1977 Headcount
Crowder	589	752	1,152	1,035
East Central	660	897	1,295	1,413
Jefferson	2,194	2,539	3,963	3,724
Metropolitan	9,125	10,751	15,242	14,751
Longview	--	--	4,861	4,884
Maple Woods	--	--	2,663	2,245
Penn Valley	--	--	7,718	5,854
Pioneer	--	--	--	1,768
Mineral Area	1,052	1,000	1,300	1,145
Moberly	571	785	736	709
St. Louis	19,563	20,588	28,262	26,963
Florissant Valley	--	--	9,717	9,114
Forest Park	--	--	8,704	8,218
Meramec	--	--	9,841	9,631
State Fair	890	1,075	1,295	1,265
Three Rivers	922	1,049	1,507	1,393
Trenton	402	522	659	484
Total	35,968	39,958	55,411	52,884

Source: Information contained in data package prepared by Department of Higher Education

TABLE 2

DEGREES AND OTHER FORMAL AWARDS CONFERRED AT MISSOURI TWO-YEAR COLLEGES, 1974-75 THROUGH 1976-77

Institution	Formal Awards Without Associate Degree				Arts and Science or General Associate Degrees				Occupational Associate Degrees			
	1974-75	1975-76	1976-77	% Change 1974-75/76-77	1974-75	1975-76	1976-77	% Change 1974-75/76-77	1974-75	1975-76	1976-77	% Change 1974-75/76-77
State Two-Year												
Crowder	22	26	17	(22.7)	42	40	77	83.3	116	132	63	(45.7)
East Central	40	43	35	(12.5)	70	71	90	28.6	45	48	41	(8.9)
Jefferson	56	84	83	48.2	108	139	119	10.2	51	92	94	84.3
Metropolitan												
Longview	10	10	9	(10.0)	250	348	242	(3.2)	171	155	150	(12.3)
Maple Woods	41	70	42	2.4	134	159	116	(13.4)	109	139	104	(4.6)
Penn Valley	15	24	19	26.7	316	327	291	(7.9)	307	388	339	10.4
Mineral Area	37	46	42	13.5	88	96	79	10.2	61	58	64	4.9
Moberly	6	19	22	266.7	80	92	67	(16.2)	31	16	38	22.6
St. Louis												
Florissant Valley	18	31	27	50.0	164	354	264	61.0	196	327	386	96.9
Forest Park	67	101	92	37.3	105	288	167	59.0	268	453	443	65.3
Meramec	73	118	77	5.5	143	316	294	105.6	119	383	371	211.8
State Fair	55	89	70	27.3	89	95	93	4.5	124	96	90	(27.4)
Three Rivers	27	37	34	25.9	90	76	81	(10.0)	51	52	77	51.0
Trenton	40	33	48	20.0	41	64	42	2.4	43	44	44	2.3
Total	507	731	617	21.7	1,720	2,465	2,022	17.6	1,692	2,383	2,304	36.2

Source: U. S. Department of Health, Education and Welfare, National Center for Education Statistics, Higher Education General Information Survey: Degrees and Other Formal Awards Conferred, 1974-75, 1975-76, 1976-77

TABLE 3

Vocational Education Completions and Placements, 1976-1977

Institution	Completions	Placements	Percentage
State Fair Community College - Sedalia	178	172	97%
East Central Junior College - Union	90	80	89
Jefferson College - Hillsboro	222	215	97
St. Louis Community College District - St. Louis	1,513	1,141	75
Moberly Junior College - Moberly	156	143	91
Mineral Area College - Flat River	96	74	77
Pioneer Community College - Kansas City	1,075	753	70
Maple Woods Community College - Kansas City	141	131	93
Penn Valley Community College - Kansas City	478	351	73
Longview Community College - Kansas City	133	84	63
Crowder College - Neosho	123	73	60
Trenton Junior College - Trenton	111	111	100
Three Rivers Junior College - Poplar Bluff	65	53	81
Total	4,617	3,555	77

Source: Information collected by the Department of Elementary and Secondary Education.

TABLE 4

Missouri Employment Figures

	1974	Estimated[1] Employment 1978	Projected[2] 1985	Average[3] Annual Job Openings
Accountants	21,870	22,240	22,900	880
Air Conditioning, Heating, Refrigeration Mechanics	4,340	4,640	5,160	200
Banking and Finance				
Bank Tellers	7,230	7,500	7,970	320
Bookkeepers	38,040	39,760	37,840	1,630
Cashiers	25,990	26,740	28,040	1,140
Clerical Science[4]				
Clerical Workers	359,380	378,940	413,180	18,880
Construction Technology				
Construction Crafts Workers[5]	67,270	70,530	76,250	3,150
Construction Laborers	15,160	15,080	14,930	320
Drafting (Drafters)	9,300	10,200	1,090	40
Dental Assistants	2,420	2,720	3,250	180
Dental Hygienists	280	440	710	60
Electronics				
Electrical Technicians	2,760	3,050	3,550	110
Electricians and Apprentices Construction Crafts	10,350	10,930	11,950	440
Farm Business Management				
Farmers and Farm Managers	69,230	59,560	42,650	2,600
Food Services[6] (Workers)				
Industrial Technology				
Industrial Engineering Technicians	350	400	420	20
Hotel and Motel Management				
Employed by Hotels and Lodging Places	23,570	24,390	25,820	
Mid-Management in Business[7]				
Manager, Officials, Proprietors	206,900	214,170	226,890	10,630
Nursing				
Practical Nurses	9,480	11,380	14,700	1,020
Registered Nurses	16,240	17,160	18,170	950
Real Estate				
Brokers and Agents	8,800	10,240	12,770	460
Fire Science Technology				
Firefighters	4,630	4,530	4,360	50
Criminal Justice				
Guards	10,590	10,430	10,140	780
Marshals and Constables	160	160	180	10
Police and Detectives	9,480	9,810	10,370	270
Sheriffs and Bailiffs	710	710	720	50

	1974	Estimated Employment 1978	Projected 1985	Average Annual Job Openings
Building and Site Maintenance				
Cleaning Service Workers	43,670	52,060	58,000	4,060
Animal Health				
Animal Caretakers (Non-Farm)	2,750	2,830	2,970	30
Library Science				
Library Attendant,	3,150	3,230	3,360	140
Assistant Librarians	3,430	3,440	3,450	160
Machine Tool Technology[8]				
Machinists and Apprentices	8,730	8,750	8,800	250
Mechanics and Repairs				
Aircraft Mechanics	3,890	4,150	4,610	130
Auto Mechanics and Apprentices	21,790	22,180	22,870	570
Farm Implement Mechanics	1,580	1,670	1,830	90
Heavy Equipment Mechanics	14,170	14,700	15,620	520
Household Appliance Mechanics	2,990	3,110	3,310	120
Office Machine Repairers	1,450	1,630	1,950	80
Radio, TV Repairers	3,240	3,520	4,010	140
Other Mechanics and Apprentices	5,180	5,250	5,360	220
Welding Technology				
Welders and Flamecutters	14,200	14,970	16,320	510
Laboratory Technology				
Clinical Laboratory Technician	3,550	3,780	4,180	170
Computer Technology				
Computer Programmers	4,840	5,260	5,990	160
Computer Systems Analysts	2,170	2,480	3,020	110
Other Computer Specialists	420	470	550	20

[1]The estimated employment figures for 1978 should not be considered as absolute, definitive numbers. These figures are projections.

[2]The projected employment figures for 1985 are based upon certain economic assumptions. These are enumerated in Missouri Employment Outlook.

[3]The average annual job openings is a combination of two factors: the numerical growth of the occupation and the quits, deaths and retirements of the occupation.

[4]These total figures are broken down by specific occupation in the Missouri Employment Outlook, page 26.

[5]IBID, page 27.

[6]Total figures are broken down on page 32.

[7]This is the total figure for managers, officials and proprietors. The assumption is made that mid-management could take in numerous occupations. A breakdown of the managers, officials and proprietors can be found on page 24.

[8]There are probably other jobs applicable in the field of machine technology. Some of these are listed on page 26 of Missouri Employment Outlook.

Source: Information compiled by the Senate Research Staff

TABLE 5

Number of First-time Transfer Students from Missouri State Two-year Institutions to University of Missouri, State Four-year and Independent Institutions, Fall 1970-1977.

Sector	1970	1971	1972	1973	1974	1975	1976	1977
University of Missouri	1,034	1,388	1,619	1,654	1,672	1,657	1,586	1,532
State Four Year	873	717	1,070	1,002	907	1,106	1,189	1,297
Independent	266	425	537	508	634	835	786	938
TOTAL	2,173	2,530	3,226	3,164	3,213	3,598	3,561	3,767

Source: Data presented in testimony by Dr. Bruce Robertson, Department of Higher Education July 27, 1978

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